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Central Conference of American Rabbis

YEAR BOOK
VOLUMES I, II, III
1890 – 1893

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CENTRAL CONFERENCE OF AMERICAN RABBIS

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YEAR BOOK

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1890 - 1893

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YEAR BOOK

OF THE

CENTRAL CONFERENCE

OF

AMERICAN RABBIS

5651—1890-91.

1891:
BLOCH PUBLISHING AND PRINTING COMPANY,
CINCINNATI.

PRELIMINARY MEETING

HELD AT

DETROIT, MICH., JULY 9 AND 10, 1889.

In obedience to a request announced by the Chairman of the U. A. H. C., at the close of its first session, all the rabbis in attendance, more than thirty in number, gathered in a hall adjoining that in which the Council met. A printed proposition, looking to the organization of a Central Conference, had been circulated. Dr. Philipson, of Cincinnati, taking the floor, submitted this proposition for consideration. Dr. Berkowitz, of Kansas City, was elected Secretary. An interesting discussion was participated in by the Rev. Drs. Wise (of Cincinnati), Silverman (of New York City), Davidson (of Cincinnati), Samfield (of Memphis, Tenn.), L. Mayer (of Pittsburg), Wolfenstein (of Cleveland), Hecht (of Milwaukee), Aaron (of Buffalo), Birkenthal (of Hamilton, Ont.), Sale (of St. Louis), and others. As a result of the discussion, the motion prevailed that "We, the rabbis here assembled to organize ourselves into a 'Central Conference of American Rabbis' and appoint a committee of five to report a plan of organization."

The committee appointed by the Chair consisted of Drs. L. Mayer, H. Berkowitz, M. Mielziner, I. Aaron and S. Sale.

July 10th the Conference reconvened at the call of the Chair in the parlors of the Russell House to consider the report of the committee, which was earnestly debated, and, after due amendment and revision, was unanimously adopted as follows:

To the Rabbis assembled in the City of Detroit, Mich., July 10, 1889:

GENTLEMEN:—The undersigned committee appointed by you at a preliminary meeting, held yesterday, beg leave to report as follows:

WHEREAS, At the meetings of the Council of the U. A. H. C. and

other occasions, at which a number of Rabbis have in the past come together, they, in obedience to a natural and spontaneous prompting, have endeavored to organize themselves for mutual co-operation, encouragement and support; and,

WHEREAS, All such organizations, though they may have failed to perpetuate their existence, have nevertheless been of inestimable benefit to those participating in their proceedings, and by their deliberations and resolutions have established certain norms, guiding principles and precedents which have become recognized as an authoritative expression of the best intelligence and purpose of their respective times; therefore do we, Rabbis of America, gathered in the city of Detroit, in obedience to the same natural prompting, and urged by the same needs and longings, herewith organize ourselves for like purposes into a Central Conference of American Rabbis and elect five officers, a President, Vice-President, Corresponding Secretary, Recording Secretary and Treasurer.

Resolved, That the proceedings of all the modern Rabbinical Conferences from that held in Braunschweig in 1844, and including all like assemblages held since, shall be taken as a basis for the work of this Conference in an endeavor to maintain in unbroken historic succession the formulated expression of Jewish thought and life of each era.

MEMBERSHIP.

Resolved, That any rabbi now in office in any Hebrew congregation, or who has held such office before, is entitled to membership in this association, provided he claims such privilege prior to Passover next and fulfills the obligations hereinafter mentioned. After that time there shall be entitled to membership all graduates of any acknowledged Rabbinical Seminary or College; all Doctors of Philosophy or Philology that possess the Rabbinical diploma התרת הוראה from a competent authority; all autodidactic preachers and teachers of religion who have been for at least three successive years discharging those duties in any one congregation; all authors of eminent books on any subject appertaining to Jewish theology or literature; and all such men who have rendered important practical services to the cause of Judaism; provided, however, such name or names be proposed for election in an annual general meeting of the association, and receive the consent of the majority of the members present.

Every member of this association shall pay in advance the annual dues of five dollars and be entitled to a free copy of the association's publications. He shall attend all meetings of the association, as provided hereinafter, or excuse his absence by a letter to the Conference.

Resolved, That the Rev. Dr. Samuel Adler, of New York, the only surviving member in this country of the Rabbinical Conferences held after the year 1840, shall be and is hereby elected Honorary President of this association.

The association shall meet annually in general conference on the

close of the Sabbath day of the date preceding the biennial Council of the Union of American Hebrew Congregations, and in the same city; and in such years when said Council is not convoked the Conference shall meet at such time and place as the previous Conference or its Executive Committee ordained, which shall be announced by the officers in all Jewish journals, at least four weeks prior to the meeting.

All business proper of the association, and all matters appertaining to Judaism, its literature and its welfare is legitimate business for the Conference, if brought before it in proper shape, *vive voce*, by any member, or by communication from any individual, congregation or any other organized community; and no business brought before the Conference shall lie over until another unless referred to a committee.

The association shall publish a Year Book, which shall contain, besides the proceedings of the Conference, such essays and communications as may have been accepted by the Committee of the Conference, to be furnished gratuitously to the members, the press, and to interested parties; the balance of the edition may be sold by the officers, or be sent gratuitously to the congregations, public libraries and special applicants as the officers may decide.

The five officers and additional members elected by the Conference shall be the Executive Board of the association, to represent it, to enforce its laws and the resolves of the Conference, and to hold their offices until their successors are duly qualified. They shall submit annually to the Conference a report of their official transactions.

Resolved, That a copy of the proceedings of this meeting be sent to every Jewish paper in the land with the request of the association to publish the same in full and to invite all rabbis of the land to become members of the association, prior to Passover of the year 5650 A. M., by simply sending in their respective names to the Executive Board and paying one year's dues in advance.

Resolved, That all proceedings of former Rabbinical Conferences be collected by the Executive Board; that either the entire documents or the substance of them be translated into English and added to the first "Year Book" to be published by the association.

Resolved, That in order to prevent any unfortunate colleague or his family from becoming humiliated as objects of charity, that one half of the annual dues of each member, being $2.50, shall be set aside as a fund designated as the "Relief Fund of the Conference," to be used only for the object named and to be disbursed by the Executive Committee.

Respectfully submitted,

DR. L. MAYER.
DR. M. MIELZINER.
DR. S. SALE.
H. BERKOWITZ.
I. AARON.

After the adoption of this plan of organization, the election of officers was proceeded with. In spite of his strenuous protests the unanimous sentiment was in favor of Dr. I. M. Wise, of Cincinnati, as President; Dr. S. Sale, of St. Louis, Vice-President; Dr. H. Berkowitz, of Kansas City, Recording Secretary; Dr. D. Philipson, of Cincinnati, Corresponding Secretary; Dr. A. Hahn, of Cleveland, Treasurer; Executive Committee, Dr. L. Mayer, of Pittsburg, Dr. M. Mielziner, of Cincinnati, Dr. M. Samfield, of Memphis, Dr. S. H. Sonneschein, of St. Louis, Rabbi Jos. Stolz, of Chicago, Rabbi M. Heller, of New Orleans, Dr. A. Moses, of Louisville.

FIRST ANNUAL CONVENTION.

The first annual Convention of the Central Conference of American Rabbis convened in the hall of the Young Men's Hebrew Association, in Cleveland, O., on Sunday, at 8:30 P. M., July 13, 1890, תמוז כ"ה תר"נ 5650.

The venerable President, Dr. I. M. Wise, called the Convention to order, and invited the Rev. Dr. Machol, of Cleveland, O., to deliver the opening prayer.

Following him Dr. A. Hahn, of Cleveland, delivered the address of welcome as follows:

VENERABLE PRESIDENT, DEAR COLLEAGUES AND FRIENDS:—When at the end of the last and at the beginning of this century the sun of political liberty arose upon the horizon of the nations of America and Europe it made the impression upon the Israelites as if not merely the winter of their adversity was gone, but also as if a beautiful spring was to follow for their religion. It made the impression upon the great champions of the reformed Judaism as if the terrible storms of suffering and persecution were to be succeeded by a new era not merely of their political and social rights, but also of their religion; an era in which nothing will attract so much the attention of the Israelites as the rainbow of their religion of peace and love; an era in which nothing will be sought more than the salubrious atmosphere of their pure monotheism and ethics; an era in which nothing will be so universally appreciated as the delicious fruits grown on the tree of Jewish wisdom and life. In short, an era in which Judaism will have that strength and power, that attraction and glory, that interest and future which the great prophets of antiquity wished and claimed for it. And why should it not be so? If Judaism had strength and vitality enough not only to stand and to resist the greatest storms, but also to develop itself internally in a most wonderful manner, why should it not grow and thrive in the most beautiful days of liberty and equality, when nobody dares to interfere with the freedom of conscience?

The nineteenth century is approaching its end, and it is now in order to ask what has become of all these predictions and expectations? Have they come to pass? Are the hosts of Israel growing in strength and increasing in numbers? Have the Israelites retained that devotedness to the Jewish religion which made our forefathers invincible? Does old Judaism make new conquests and gain new victories?

While there are on the one hand a great many who without hesitation answer all these questions in the affirmative, and think that Judaism has never been stronger, and had never a greater future, there are others who say Judaism is not merely losing ground, but it is actually dying out. Is Judaism dying out? Look at our congregations! What a difference between the size and number of the Jewish congregations in America in 1890, when we are meeting here and in 1854, when the first Rabbinical Conference that ever met in America convened here in Cleveland. In a great number of cities where at that time no Jew ever lived there are at present flourishing congregations. In a great number of places where they had at that time small congregations and small rooms for prayer meetings they have at present temples which in splendor and architecture compare well with the finest churches of other denominations. In a great number of places where they had at that time no teachers and no pupils there are at present large religious schools attended by hundreds of children. And what is the character of our congregations, of the congregations which we have the honor and pleasuse to represent? Our congregations are congregations of culture and education, of progress and enlightenment, of humanity and thought, of activity and life.

Our congregations are congregations which have their eyes fixed upon highest ends of modern civilization, which have nothing so much at heart as the welfare, the progress, the elevation and the happiness of the United States of America, and of the whole human race; our congregations hate nothing so intensely as deeds that reflect reproach upon the name of Israel and Judaism, and which love nothing so well as deeds which reflect credit upon the name of Israel and Judaism.

Our congregations are not kept together by the force of government nor by the dicta of priests, but by the conviction that it is a noble and a great aim they pursue, and that it is a great and a noble cause they serve. Will you call such growth and such character of and such a voluntary attachment to congregations the dying out of

Israel? If that means dying out then let us have as much as possible of it.

Is Judaism dying out? For an answer look at the once younger generation. Thirty-six years ago when the first Rabbinical Conference met at Cleveland, the prejudice prevailed that Judaism in America will keep itself only as long as the immigration from Europe will continue, but as soon as the time will come that Judaism will depend for its recruits upon the younger generation, the Jewish natives of America—O then, good-bye Judaism!

Did these predictions and prophecies come to pass? I say no! and a thousand times no! I am fully aware of it that there are a great many among our young people who do not care anything for Judaism; who do not care more for Judaism than they do for the religion of Buddha, or Confucius, or Mohammed; who are ashamed of being taken for Jews and who consider it a misfortune that they were born Jews.

The bulk of our young Jewish people are not ashamed of being Jews; on the contrary they are proud of being Jews. Their hearts are as Jewish as ever Jewish hearts were. They are in sympathy with everything that is good and great and noble in Israel and that is apt to promote the cause of Judaism. It pains them whenever they hear that the name of Israel is slighted or the rights of Israel are disregarded or trampled upon.

If it should be necessary to give proofs that our young people are not ashamed of being Jews and that they are anxious to see Judaism preserved then I would point as to one proof of many to the society in the rooms of which we are assembled. Is there one young man belonging to this Young Men's Hebrew Association who is ashamed of being a Jew in faith or who would like to deny his Hebrew descent? If there is such a young man here I am ignorant of him! And is this merely here in Cleveland the case that our young people say the God of our fathers, and the religion of our fathers, and the paths of our fathers shall be our God, our religion, our path? No, only a few days ago representatives of the Hebrew Young Men's Association of America met in Cincinnati and formed a union; and the central idea of their platform is, let us be faithful and true to Judaism and let us encourage it. Can you call that a sign of the dying out of Judaism?

Is Judaism dying out? Look for an answer at the rabbis! I am proud and happy to say there is no class of ministers that work

harder for the preservation, elevation, progress and enlightenment of their people than American rabbis do.

The Talmud says when God wants to have a community ruined he puts at the head of it a blind leader. Whatsoever the American rabbis are, blind leaders they are not. They know the way which they have to go and in which they have to lead their flocks. They know what the stumbling blocks and dangers are in the way of progress and success. They are aware of the signs of the time which must be heeded.

And the very reason that we are meeting here is because we see clearly what the needs and wants of those are who are in our charge. What is the object of our meeting? Our orthodox friends say, what can their object be? Whenever and wherever these Reform rabbis met it was always with the intention to abolish the little that is left yet of Judaism. All that these Reform rabbis want is to do away with Judaism. Such charges are too ridiculous to answer them, but one thing is correct: we met here with the intention to abolish; abolish what? Religion, Judaism? No! To abolish ignorance, superstition, indifference, bigotry and fanaticism. We are meeting here not to destroy or pull down what is good, but to sift it from errors and superstition, and to preserve it and use it for the development and progress of Judaism.

We have met here not merely to make nice speeches, but to give the world something to read, something to talk, something to feel something to think. We have met here to exchange our opinions, to communicate to each other our observations and experience, to find the enemies of Israel's sacred cause with united forces.

And at the head of our society there stands an old general, a veteran in the army of Judaism, Dr. I. M. Wise, great in age but young and fresh in heart, in mind, in spirit. Like Jacob Israel, he fought all his life for Israel's cause with strong enemies, and he prevailed.

And now, dear President and my dear colleagues, in the name of the Israelites of Cleveland, who turned out in such a large number, I bid you a hearty welcome. I bid you welcome into our Jewish community, which has always taken the greatest interest in every movement for the promotion of Israel's cause, and that has always been ready to join the rank and file of the strugglers for Judaism.

I bid you welcome to the rooms of the Young Men's Hebrew Association, which they have so willingly put at your disposal, and their noble hearts and noble souls feel proud to think that such a good use is made of them by you. I bid you welcome to our noble

institutions—the Orphan Asylum and the Moses Montefiore Home. Both institutions have been a great blessing to thousands; are justly the pride of Israel and have the good will and the sympathies of the thousands, both Jews and Gentiles. I bid you welcome to the rooms of the Excelsior Club, which is the club of our most respected Israelites, a club not merely for diversion, but which has been a great agency in its promotion of the virtues of sociability, friendship, good will and harmony to our Jewish community. I bid you welcome to our homes, which are always open to good and respectable people. I bid you welcome to our hearts, which rejoice at the idea and fact that there are in our midst so many worthy teachers in Israel who devote their time, their energy and their life to the education, elevation and culture of the human race. May the Central Conference be the Zion where annually all rabbis will gladly make their pilgrimage to derive from it light, courage, strength and new life. May it be a council in which every one will bear in mind the great responsibility that rests upon us; in which nothing shall be said of which we should be ashamed, or for which we should feel sorry. May the work it accomplishes be of such a high character and order that every rabbi will feel morally forced to respect and to join it. May God's peace and truth guide us. And may it be said of us, "Though thy beginning be small, thy future will be great."

Dr. I. M. Wise, the acting President of the Conference, hereupon delivered the following historical oration:

GENTLEMEN, BRETHREN, COLLEAGUES, MEMBERS OF THE CENTRAL CONFERENCE:—With special gratification and joyous emotions, I welcome you to this gorgeous hall and august assembly, and salute you in the words of the divine bard,

ברוך הבא בשם יי

"Blessed is every one who cometh in the name of God,"

to which, let us hope and trust, the congregations of American Israel, in grateful acknowledgment of the good work done, will add

ברכנוכם מבית יי

"We bless you from the house of the Lord."

In an assembly like this, composed of eminent teachers and banner-bearers of the most sublime cause of humanity, these brief words ought to suffice—"An allusion suffices to the wise"—and we might at once open the actual business, to transact which we are voluntar-

ily assembled in this beautiful city of Cleveland under the protection of God and the flag of our country. Custom, however, the prevailing despot even over the free, demands that the presiding officer of every kind of public body exercise the prerogative of first spokesman, because, I think, after the deliberations have commenced, he has no more to say. Custom makes the law. Being a law-abiding man, I must make a speech before we go to business. Do not feel alarmed, gentlemen; it is not a "president's message," marvelous in length and wonderful in repetition of things well known, that I shall inflict on you. I consider that kind of message the special privilege of the chief magistrates of the repulic, and the heads of bodies engaged in the laudable enterprise of saving the country and rescuing suffering humanity from beneath the crushing ruins of exploding planets. Performing no herculean feats, dealing in no metaphors, being simply watchmen at the sacred shrine of Israel's divine treasures, we may well obey the injunction of the wise preacher: "For God is in heaven and thou art upon the earth; let, therefore, thy words be few."

THE HISTORY.

The history of our organization is brief. Last year in the month of July and in the city of Detroit some of your colleagues—their names are recorded in the Secretary's minutes — organized the Association of the Central Conference, elected its officers and the Executive Committee for the ensuing year, and resolved to meet in conference in July, 1890, in the city of Cleveland. In the course of your deliberations the work done by the Executive Committee will be submitted for your consideration. In the first year of its existence the association has grown to the respectable number of ninety rabbis, ministers, preachers, or whatever titles the appointed teachers of the ninety congregations may claim. They are the spiritual guides of those respective congregations.

THE EXOTERIC OBJECTS.

The exoteric objects of the association are (*a*) to maintain and perpetuate a union of all American rabbis, with the center of gravity in the annual Central Conference, as is the case among the ministers of other religious denominations. (*b*) To make known to all whom it may concern the resolutions, decisions, suggestions or counsels of the Central Conference by an annual publication called "The Year Book of the Central Conference." (*c*) To establish and control a fund from which to give aid and support to

superannuated and indigent colleagues and their families, not otherwise provided for. It is by the solid union of its expounders only that Judaism can command the respect due to it among its votaries and its opponents. The imposing number and unanimity of an intellectual and moral organization impress the community with veneration and command a more profound respect even than the noblest deeds and most exalted thoughts of the few, antagonistic to each other. If Judaism is to be properly respected, its bearers and expounders must first be, and this can be gained only by solid union.

CAUSES OF FORMER DISUNION.

The causes of disunion and dissensions among American rabbis in days past were of various kinds. The principal one was the spread of the reform movement in the synagogue. This divided not only the teachers but also the members of the congregations into two factions, more or less zealous and violent according to the temper of the active individuals. Movements of that kind invariably produce profound dissensions, leading to animosities and hostilities. When the reformatory movement prevailed extensively, disunion and dissension, with all their concomitant evils, were produced within the reformatory ranks by the problem of the degree of reform, the constructive and the radical reform, which was intensified by the various new books of worship and catechisms for the schools. Each compiler of such a book was zealous to impose his production on the entire community, and came in contact with his fellow compilers. Then a point of controversy was made of the language; one party wanted more and the other less Hebrew in the prayer-books and the religious schools; one party insisted upon making both synagogue and school purely English, and the other was no less zealously determined to preserve in them the German language. To all this, controversies on minor points and on doctrines were added, converting the whole of American Judaism into a factional multitude with many elements of dissolution in it. The sectarian press often, with partisan recklessness, took hold upon those elements of animosity, magnified and intensified them, abused and defamed the leading men, and succeeded in numerous instances in producing fanatical hostilities among the rabbis and frequently also among the congregations. The main cause, perhaps, that it came thus far among the rabbis was that they were all foreigners, coming from different parts of Europe, from different schools, from under different local influences, with various conceptions of their

own worth and authority, and most of them without the democratic idea of co-ordination and subordination; each was a demi-god in his Walhalla; each a zealous and faithful laborer in the vineyard of the Lord without appreciation of the power of union, co-operation and consolidation.

HOW THE EVIL WAS REMEDIED.

"Israel never was and never will be without its thirty-six righteous men, who are its saviors," declared an ancient sage. This is the case also in the American Israel. Not the right man, but the right men, never failed to appear in the proper place and at the proper time. Earnest attempts to counteract the elements of discord and dissolution were made as early as the year 1849 by leading men from Philadelphia, Cincinnati, New York and Albany. Those men proposed—and did considerable work to realize the project—to convene a meeting of delegates from the various congregations to devise means for concerted action, especially to erect hospitals, asylums, schools, etc. They failed; it was too soon; but the impulse was given, and none of the ideas or ideals perished. Again in 1855 a meeting of rabbis and congregational delegates was called in the city of Cleveland, and they came from both sides of the camp, the so-called orthodox and reformer, the latter in the majority, and came to an agreement on the main point, viz., to establish a permanent synod on strictly democratic principles, to establish and govern all necessary public institutions, and to direct all synagogal reforms, changes, innovations, etc. As a doctrinal basis for the synod the following points were agreed upon: (*a*) The law of the land is supreme, which meant Judaism must be Americanized and republicanized; and (*b*) all Biblical law still in practice shall be practiced according to Talmudical interpretation. This excluded none of the reforms introduced in American Judaism. The committees were appointed to convene the synod, to prepare a ***Minhag America*** for the synagogue, to establish a college, to prepare text-books for the Sabbath-schools and others. On the strength of this Cleveland Conference the Zion College was opened and the Minhag America prepared in Cincinnati. By the most violent opposition of rabbis who had not appeared in that conference, congregations were aroused to protests against the conference; some members of the conference were intimidated, the community was bewildered, and the whole piece of work proved a sad failure, productive only of never-ceasing controversies, dissensions and implacable hostilities. The decade of

political excitement and the civil war which followed, with its depressive influence on the public mind, made all public enterprise of this nature impossible. In 1867–8 the subject was reagitated, and a general meeting of the rabbis was called in a public journal. Before the time for it to convene its opponents called a conference in Philadelphia, which, of course, frustrated the projected union, and the general meeting was given up. The Philadelphia Conference did a particular piece of reformatory work without reference to the existing state of affairs, and resolved to call another conference the next year. Meanwhile, a number of rabbis wanted a revision of the Minhag America, and a meeting of rabbis was called to that end. The meetings took place in Cleveland, then in New York, and lastly in Cincinnati, but instead of revising the Minhag America various subjects were brought up for discussion which gave the meeting the character of a Rabbinical Conference. The leaders of the Philadelphia Conference took this as an opposition conference and the breach among the rabbis was widened. One man's casual expression in the meeting against the idea of a personal God was made the subject of furious protests against those meetings and all persons attending them. The most degrading and most disastrous literary controversy followed, which destroyed every hope of ever reuniting the American rabbis. It became evident to the friends of union, peace and legitimate progress that the rabbis could not be reconciled, and they began to appeal to the congregations, which resulted, in 1873, in establishing the Union of American Hebrew Congregations, and the Hebrew Union College in 1875, contrary to the will and with the outspoken opposition of the protesting rabbis. This was hoped to become the rock of peace, unanimity and good will, and so it did among the congregations, but not among the rabbis. At the meeting of a commission in Philadelphia in December, 1879, appointed by the Union of A. H. C., the old feud came to the surface again as violently as ever. The sectarian newspapers took it up and increased the evil. They and their patrons embraced every opportunity to destroy the Union and the College. A banquet not strictly *kosher*, a lecture delivered by one of the teachers of the College, the proceedings of the Pittsburg Conference, the local prejudices of New York and Philadelphia, anything at all was made a pretext to destroy the Union and to antagonize the College, to render union, peace and concert of action impossible; and they did succeed in isolating some congregations even against the will of their respective members, but the Union and the College remained the rock of

peace and solidarity in the American Israel, the beacon light of American Judaism. And here are ninety American rabbis, peacefully and hopefully united, to be now and forever the nucleus, the center of gravity to all colleagues who are desirous to work in the name of God for the house of Israel and the sublime cause of humanity. Here we are, to redeem the American rabbinate from the odium of an autocratic and quarrelsome disposition; here we are, the largest number of American rabbis ever unitcd on this continent, to unfurl to the breeze the banner of one God and one Israel. A bright morn-star has appeared on the horizon of our holy cause, with the success of this Central Conference. This is the exoteric object of this association, the triumph of progressive development, the progress achieved in one generation. Here we are, the oldest and the older, the younger and the youngest of our colleagues, to proclaim to all whom it may concern that a new era is opening in the history of the American Israel.

THE ESOTERIC OBJECT.

The esoteric object of this association is naturally less intelligible, although no less important—or rather more so—than the exoteric; because it is the main of the four causes of things, the final cause the aim and object of the whole, characterized in the Hebrew phrase of סוף מעשה במחשבה תחלה "the resultant deed from the startling thought."

The main duty of a rabbi in Israel is to preserve, develop and exalt Judaism in strict adherence to its own spirit and a conscientious appreciation of the just demands of time and place and the circumstances they produce. The so-called orthodox or conservative men may be of a different opinion in regard to the rights of time, place and circumstances, contrary even to the admissions of the Talmud. In this association and conference no difference of opinion on this point can justly prevail, as the resolutions and decisions of former rabbinical conferences, both American and German, were adopted at once as an integral portion of the basis on which the development of Judaism shall be continued. This is the historical standpoint which acknowledges *eo ipso* the rights, claims and wants of time, place and circumstances as important factors in the development and progress of Judaism, without severing the present and future from the glorious and marvelous past of Judaism, the intelligible revelations of Providence in history. American Judaism, seemingly a new creation, in fact but the most recent

phase of Israel's ever progressive faith, built itself upon this basis; and we are American rabbis, fully agreed on its constructive principle. We can not afford and do not propose to make any concessions to the advocates of anachronisms or adherents of the immovable *statu quo*.

THE SPIRIT OF JUDAISM.

We are furthermore agreed, I trust, that the spirit of Judaism, made intelligible to us in its literary monuments and its historical revelations, is the essence of universal religion, the future religion of mankind, as its rays of light and fructifying energy are now the underlying principles and efficient cause of the civilized world's religious systems. Human reason can conceive no idea or ideal of Deity superior to the Jehovah of Moses, the absolute Being by whom and in whom the All exists, lives and perpetuates itself in its innumerable varieties of forms; who is in His manifestations, both in nature and history, absolute power, universal and sovereign intellect, supreme love and benignity, the only perfect being. So Moses teaches and defines the Supreme Being, and this is the underlying doctrine of Judaism. None can rise higher than to the highest, hence none did and none ever will rise above the Mosaic conception and revelation of Deity. On the contrary, human speculation in theology, science and philosophy has proved itself incapable of producing or even reaching the Jehovah of Mosaic revelation; it has submerged and obscured the main ideas on the one hand in a pool of anthromorphisms and fetichisms, in order, as it is maintained, to accommodate the sublime thoughts to the weakness of human reason; and halts, on the other hand, in the professed ignorance of agnosticism or the abyss of despair of atheism. It is not unreasonable to maintain that the Jehovah of Moses is a divine revelation after we know that all mankind these thousands of years could not duplicate and not improve it. If we add thereto that all doctrines, precepts, commandments and ordinances of religion, be it form of worship, ethics, government or concerning Providence, personal immortality, reward and punishment, remission of sins, the conception of the world, the hopes and future of mankind on earth, and all other matters of religion can be derived only from man's cognition of Deity, and in rational harmony with the divine nature; admit as we must that the cognition of truth, the right, the good and the beautiful in all those matters must be in proportion to our cognition of God and his nature; and add thereto that the Mosaic Jehovah is the highest conception of Deity attainable by man; you

must admit that the spirit of Judaism is the essence of universal religion of mankind.

THE MESSIANIC REALM.

It need not be reiterated in this assembly that the Prophets, one and all, and after them the sages of the Talmud, the philosophers of the Middle Ages and the teachers of the nineteenth century, all of them, an unbroken chain of reasoners, maintain the very same thing: Judaism is the universal religion; and all of them predicted and hoped for the time when God will be king over all the earth, and God will be known as one, and one his name will be. The same idea has been variously expressed at different times. The coming of the prophet Elijah, the coming of the Messiah, the future world, the universal redemption, the unification and fraternization of the human family, are some of the names given to the same idea. In our century it was called the Messianic age, the Messianic realm, also the kingdom of the Messiah, always signifying the same thing —the final and universal triumph of the universal religion in theory and practice, in creed and deed, for the government of nations and the conduct of individuals. It was the mission of Judaism from its inception to become at the fulness of time the religion of the human family. Its mission in the conversion and fraternization of mankind, not merely because it claims to be divine revelation, but because it is the only twin sister of pure reason.

THE FORMS AND THE SPIRIT.

The preservation of Judaism means first and foremost the preservation of its spirit in its pristine purity and beauty. This is accomplished not only by theoretical and abstract teachings, reasonings, expounding and convincing arguments and illustrations; it must be done with the aid of adequate forms, institutions, usages and performances, in which the spirit is manifested. They are both educational means and the media of intercourse between the feeling and the reason, the emotional and the intellectual natures of man. Besides all that, they are the external signs and bonds of Israel's union as one congregation, the signs and tokens of this eternal fraternity, the organon of revelation and its custodian to the very end of its mission. Many, perhaps most men, can conceive the spirit only by the forms in which it appears, and to many others the form is the only comforter, and the only bond of union with Israel and the spirit of Judaism. Wherever the ancient, inherited, established and accepted forms and institutions, usages and performances are adequate to reach their end and fulfill their aim it is

our duty to guard and sanctify, to expound and to recommend them by words and deeds. Wherever the means are no longer adequate to the end, it is no less our duty to replace them by new and proper means.

Again, the development of Judaism signifies the liberation of its universal spirit from all antiquated, meaningless, tribal, merely national and merely local paraphernalia, which impress it with the appearance of one-sidedness and awkwardness, as a stranger in the land of the living, a foreigner in its own home, and to provide forms and institutions for the manifestation of the spirit, which are at least approximately universal and nearest to the understanding and feelings, the cogitation and sentiment of the largest community.

Here, however, lies the difficulty in the discharge of the rabbi's duties, and here begins

THE IMPORTANCE OF THE CONFERENCE.

The united Rabbis of America have undoubtedly the right—also according to Talmudical teachings—to declare and decide, anyhow for our country, with its peculiar circumstances, unforeseen anywhere, which of our religious forms, institutions, observances, usages, customs, ordinances and prescriptions are still living factors in our religious, ethical and intellectual life, and which are so no longer and ought to be replaced by more adequate means to give expression to the spirit of Judaism and to reveal its character of universal religion. It is undoubtedly the duty and right of the united rabbis to protect Judaism against stagnation and each individual rabbi against the attacks frequently made upon every one who proposes any reform measure. Let the attack be made hereafter on the Conference and let the honor of the individual be preserved intact. All reforms ought to go into practice on the authority of the Conference, not only to protect the individual rabbi, but to protect Judaism against presumptuous innovations and the precipitations of rash and inconsiderate men. The Conference is the lawful authority in all matters of form.

The united rabbis of America have undoubtedly the right and the duty to produce a uniform form of worship for all our houses of worship. This can not be done at once, as disintegration has spread its roots too far, and must not be done by adapting texts and forms from abroad, as Israel lends to many and borrows from none. It must be done gradually and originally—a beginning will be made to it in this meeting—with the consent and to the satisfac-

tion of all; and can be done lawfully and effectually by the Conference only.

All work done in contribution to such ritual must, of course, correspond with the principle that Judaism is universal religion and contains nothing contrary to it. In order to develop Judaism for this its mission, it must be provided with such ritual from which every intelligent person can utter his Maker's praise and adoration, can render thanksgiving to him who is the source of all that gladdens the heart of man, and pray to him who is the Father of all in prose or in verse, from the Psalms of David and the Prophets, the typical prayers of the ancient sages and Hebrew poets, or the original composition of our own contemporaries, if it only has the character of universal religion and the eloquence of genuine piety.

The united rabbis have furthermore the duty to provide a catechism for the Sabbath-schools on the same principle with the ritual. This also must be done after mature deliberation, with the consent and to the satisfaction of the whole Conference, to imprint it with the authority of the entire Rabbinate of America. Hitherto we have given a number of such text-books resting on the authority of individuals, which critical minds do not consider the authorized expression of Judaism; and in fact some of these books are good and others are not, some are good yet and others are antiquated, some make concessions to superannuated orthodoxy and others to the sectarian views of our Christian neighbors, and others again to some predominating philosophy. We ought not allow the rising generation to depend on individual views and opinions in so important a matter as is American Judaism to us and the cause of humanity.

The united rabbis in conference assembled should annually give fresh impulses and new encouragement to the study of the literature of Israel, especially by giving out select subjects for investigation and research to individuals or committees, to be worked up in essays, treatises, reports, sermons or lectures, to be published in the Year Book of the Conference, in magazines or pamphlets and books. Unless the literature of Israel become the common property of the American Rabbinate it can not fully perform its duty to American Judaism and can not successfully unfold the spirit of universal religion contained therein.

Whatever advances the spirit of Judaism in its true character as universal religion it is the right and duty of the united rabbis in conference assembled to do, and to do it well, in the name of God

and Israel, for the sake of our country and our people, for the triumph of truth, humanity and righteousness.

Whatever the individual could not or should not do, and yet ought to be done in support of Israel's mission or in advancement of American Judaism, the Conference could and should do. The collective learning and piety is a power for good by sincere co-operation. If many support one, one is a power. If one sustains many, he becomes the wisdom and energy of many. If the spirit of Judaism is to be developed to universal religion and provided with the forms and means to be accessible to the common intelligence—and this is our mission and duty—we must have the united rabbinate, the annual Conference, the earnest and steady work of all our intellectual forces united in one power. With this Conference we enter upon the new phase of American Judaism as the free messenger of God to a free people, a kingdom of priests to anoint a holy nation. Let the work be equal to the ideal, and the success as rich as the Lord's promise to all his anointed messengers; "Jehovah said unto me, thou art my son, I have this day begotten thee."

The Conference proceeded to the business of temporary organization.

The Rev Dr. M. Landsberg, of Rochester, N. Y., and Rabbi E. N. Calisch, of Peoria, Ill., were elected respectively Vice-President and Secretary *pro tem.* in the absence of the Rev Drs. Sale, of St. Louis, and Berkowitz, of Kansas City.

The following members were found to be present: Rev. Dr. Israel Aaron, of Buffalo, N. Y.; Rabbi E. N. Calisch, of Peoria, Ill.; Rabbi A. Geismar, Cincinnati, O.; Rev. Dr. L. Grossman, Detroit, Mich.; Rev. J. Grossman, Youngstown, O.; Rabbi A. Gutmacher, Ft. Wayne, Ind.; Rev. Dr. A. Hahn, Cleveland, O.; Rev. Dr. M. Landsberg, Rochester, N. Y.; Rabbi Chas. Levi, Cincinnati, O.; Rev. I. Lewinthal, Nashville, Tenn.; Rev. Dr. M. Machol, Cleveland, O.; Rev. M. Faber, Titusville, Pa; Rev. S. Mannheimer, Cincinnati, O.; Rev. Dr. L. Mayer, Pittsburg, Pa.; Rev. Dr. M. Mielziner, Cincinnati, O; Rev. I. S. Moses, Chicago, Ill.; Rev. Dr. David Philipson, Cincinnati, O.; Rev. L. Reich, Atlanta, Ga.; Rev. N. Rosenau, Grand Rapids, Mich.; Rev. Dr. Samfield, Memphis, Tenn.; Rev. Dr. I. Schwab, St. Joseph, Mo.; Rev. Dr. E. Schreiber, Little Rock,

Ark.; Rev. L. Schreiber, Paducah, Ky.; Rabbi T. Schanfarber, Baltimore, Md.; Rev. Dr. S. Sonneschein, St. Louis, Mo.; Rev. M. Spitz, St. Louis, Mo.; Rev. L. Shapiro, Portsmouth, O.; Rev. Max L. Wertheimer, Dayton, O.; Rev. Dr. I. M. Wise, Cincinnati, O.

The order of business, as fixed by the Executive Committee, and amended to begin Monday morning at nine o'clock instead of ten, was accepted as follows: Monday morning at 9 o'clock, prayer by Dr. Mayer, of Pittsburg; reports of the Executive Committee on Constitution and Rules and discussion of the same; communications; paper by Dr. M. Mielziner, of Cincinnati, entitled, "Marriage Agenda"; discussion of the paper. In the evening, at 7:30 o'clock, prayer, by Dr. Moses, of Chicago; paper by Dr. Sonneschein, of St. Louis, on "Judaism in Its Relation to the Republic"; motions and resolutions to be submitted, and referred to the proper committees.

Tuesday morning at 9 o'clock, prayer by Rev. Charles Levi, of Cincinnati; paper on "Confirmation in the Synagogue," by Dr. D. Philipson, of Cincinnati; discussion of the paper, unfinished business, etc. Tuesday evening at 7:30 prayer by Rev. E. N. Calisch, of Peoria, Ill.; paper by Dr. A. Hahn, of Cleveland, O., entitled, "The Rabbi and the Congregation"; discussion of the paper; election of officers, and closing remarks by the Vice-President.

A communication from the congregations Tifereth Israel and Anshe Chesed, inviting the members of the Conference and their ladies to a carriage ride on Monday afternoon, and to a supper Tuesday evening at the Excelsior Club rooms, was read and accepted with thanks. On motion, the Conference adjourned for the evening, to meet Monday at 9 A. M.

SECOND SESSION.

Y. M. H. A. HALL,
CLEVELAND, O., July 14, 1890.

The Conference was called to order at 9:30 A. M., with President Dr. Wise in the chair. Prayer was offered by the Rev. Dr. L. Mayer, of Pittsburg, Pa.

The minutes of the preceding session were read and approved.

The Committee on Constitution and By-Laws reported, through Dr. Philipson, of Cincinnati. After much discussion, the following Constitution and By-Laws were adopted:

PREAMBLE.

WHEREAS, At the meetings of the Council of the U. A. H. C., and on other occasions, at which a number of rabbis have in the past come together, they have endeavored to organize themselves for mutual co-operation, encouragement and support; and

WHEREAS, Such organizations have been of inestimable benefit to those participating in their proceedings, and by their deliberations and resolutions have established certain reasons, guiding principles and precedents, which have become recognized as an authoritative expression of the best intelligence and purpose of their respective times; therefore, do we, the Rabbis of America, gathered in the city of Detroit, urged by the same needs and longings, herewith organize ourselves for like purposes.

Resolved, That the proceedings of all the modern Rabbinical Conferences, from that held in Braunschweig in 1844, and including all like assemblages held since, shall be taken as a basis for the work of this Conference, in an endeavor to maintain, in unbroken historic succession, the formulated expression of Jewish thought and life of each era.

ARTICLE I.—NAME.

This organization shall be known as the "Central Conference of American Rabbis."

ARTICLE II.—MEMBERSHIP.

SECTION 1. All rabbis in office, and all who have held the rabbinical office, all professors of rabbinical seminaries, and all persons worthy to be members of the Conference, shall be eligible to membership. All names shall be acted upon by the Executive Committee.

SEC. 2. Honorary members shall be elected only by the Conference at its general sessions.

SEC. 3. Every member of this association shall pay in advance the annual dues of five dollars ($5), and be entitled to a free copy of the Association's publications.

ARTICLE III.—OFFICERS.

SECTION 1. The officers of this Conference shall be a President, Vice-President, Recording Secretary, Corresponding Secretary and Treasurer, who shall be elected annually, by ballot, shall fulfill the

duties incumbent upon such officers, and shall hold their offices until their successors have been elected.

SEC. 2. The five officers and seven additional members elected by the Conference shall be the Executive Board of the Association, to represent it, to hold their offices till their successors are duly qualified. They shall submit annually to the Conference a report of their official transactions. They shall outline and assign in advance the work of each meeting of the Conference.

SEC. 3. The Rev. Dr. Samuel Adler, of New York, the only surviving member in this country of the Rabbinical Conferences held after the year 1840, shall be and is hereby elected Honorary President of this Association.

ARTICLE IV.—MEETINGS.

This Association shall meet annually in general conference, on the close of the Sabbath day of the date preceding the Biennial Council of the U. A. H. C., and in the same city; and in such years when said Council is not convoked, the Conference shall meet at such time and place as the previous Conference or its Executive Committee ordained, which shall be announced by the officers in all Jewish journals at least four weeks prior to the meeting.

ARTICLE V.—OBJECT.

All business proper of the Association, and all matters appertaining to Judaism, its literature and its welfare, are legitimate business for the Conference, if brought before it in proper shape, *viva voce* by any member, or by communication from any individual, congregation or any other organized community. No business brought before the Conference shall lie over to another, unless referred to proper Committee.

The Association shall publish a Year Book, which shall contain, besides the proceedings of the Conference, such essays and communications as may have been accepted by the Committee of the Conference, to be furnished gratuitously to the members, to the press, and to interested parties; the balance of the edition may be sold by the officers, or be sent gratuitously to congregations, public libraries and special applicants, as the officers may decide.

In order to prevent an unfortunate colleague or his family from becoming humiliated as objects of charity, one-half of the annual dues of each member, being $2.50, shall be set aside as a fund to be designated as the "Relief Fund of the Conference," to be used *only for the object* named, and to be disbursed by the Executive Committee.

On motion, it was resolved that all business before the Conference, and all communications, be deferred till this evening, in order to get to the paper of Dr. Mielziner.

A recess of five minutes was taken, and Dr. Mielziner proceeded to read his paper on "Marriage Agenda." (See Appendix A.)

The paper was given over for consideration to a committee of five, consisting of the Rev. Drs. Landsberg (Chairman), L. Grossman, Schwab, Mayer and Rabbi A. Gutmacher.

Telegrams and letters of regret for absence were received from the following gentlemen: Rev. Dr. Liebman Adler, of Chicago; Rev. J. Jacobson, of Natchez, Miss.; Rev. H. Elkin, of Salt Lake City, Utah; Rev. Eppstein, of Philadelphia; Rev. Dr. H. Berkowitz, of Kansas City, Mo.; Rev. Posman, of Pensacola, Fla.; Rev. Hess, of St. Paul, Minn.; Rev. I. Stemple, of Macon, Ga.; Rev. Gutman, of Syracuse, N. Y.; Rev. J. Stolz, of Chicago; Rev. M. Bien, of Vicksburg, Miss.; Rev. Rabbino, of Brunswick, Ga.; Rev. H. Veld, of Albany, N. Y.; Rev. Dr. M. Harris, of New York City; Rev. S. Frey, of Wabash, Ind; Rev. S. Marks, of Minneapolis, Minn., and Rev. Feuerlicht, of Hamilton, O.

On motion, a telegram of fraternal greeting was sent to the Honorary President, the Rev. Dr. Samuel Adler, of New York.

The Conference then adjourned to meet at 7:30 P. M.

THIRD SESSION.

CLEVELAND, O., July 14, 1891.

The Conference was called to order at 8 P. M., with President Dr. Wise in the chair. Prayer was offered by Dr. I. S. Moses, of Chicago.

Dr. S. H. Sonneschein, of St. Louis, Mo., was introduced, and read his paper on "Judaism in its Relation to the Republic."

After the reading of the paper the following resolution was offered:

Although it has been stated time and again that the Jews are no longer a nation, and they form a religious community only, yet

has this thought not been thoroughly appreciated by the community at large: we still hear of the "Jewish nation" and the "Hebrew people," and therefore this Conference feels itself called upon to declare once more that there is no Jewish nation now, only a Jewish religious body, and in accordance with this fact neither the name Hebrew nor Israelite, but the universal appellation Jew is applicable to the adherents of Judaism to-day.

DAVID PHILIPSON.
MAX LANDSBERG.
I. S. MOSES.

The paper of Dr. Sonneschein and the accompanying resolution were then open for discussion. The participants in the earnest and able debate that followed were Drs. Landsberg, Philipson, Mayer, Schwab, Wise, Aaron, Grossman and Sonneschein. Many more asked recognition from the Chair, but a motion for the previous question cut off further debate. The resolution was put to the Conference, and lost by a vote of 13 to 12. Rev. I. Lewinthal, of Nashville, moved for reconsideration, which was carried. On motion, the question was then laid on the table till the next morning's session.

The following resolutions were handed in:

ON PRAYER-BOOK.

I take the liberty to move that a committee be appointed to compile a new prayer-book, to be used on all occasions in the synagogue and the home.

DR. AARON HAHN.

On the same subject were resolutions as follows:

The venerable President stated in his opening address, the principal object of the Central Rabbinical Conference is, to work out a uniform system for the practice of Judaism in the family, the school and the synagogue. In conformity with this declaration, which meets with our hearty approval, we deem it of the utmost importance that we devise means for establishing a uniformity in the mode of public and private worship of those congregations and individuals adhering to the reform principles of Judaism; be it, therefore,

Resolved, That a committee of fifteen members of this Conference be appointed to lay out a plan for accomplishing this object. This committee shall divide among themselves the elaboration of the various portions of our liturgy, embodying therein the essential elements and parts of our traditional worship, and adding such pieces of devotion agreeable to the advanced state of the religious sentiment of our day. As a principal feature of this work it appears to us commendable to compose, for the purpose of alteration in the

worship, a set of three or four rituals for Sabbaths and week-days. The committee shall consult the various existing Jewish prayer-books and adopt therefrom such portions as prove to them of an edifying and elevating character, and, in general, as consistent with the standard suggested above. The work of this committee shall be undertaken at an early date, in order to enable them to lay the material of such uniform ritual before the next Conference.

S. MANNHEIMER.
DR I. SCHWAB.

Moved by S. H. Sonneschein:

WHEREAS, It can not be denied by even the most scrupulous and conservative among the members of this Conference that a demand for a standard Union Prayer-book is prevailing everywhere in the reformed synagogue of American Israel; and,

WHEREAS, This general and urgent demand is prompted by the principal motive and the sure prospect that such a uniformity in our ritual would serve as the strongest factor in the consolidation of American Judaism, and in the best patriotic and religious sense of the word; therefore, be it

Resolved, That this Conference elect a committee of five to be so instructed and authorized as to submit to the next annual meeting a thoroughly digested and completely arranged manuscript for the publication of such a new Union Prayer-book, a book whose literary merit be above reproach and whose truly Jewish devotional character be beyond criticism; and, be it further

Resolved, That the Prayer-book thus contemplated will have to evince not only a thorough sympathy with the ideal of a Religion of Humanity, but must in its main features with the same firmness of purpose adhere to the sacred language and living historic mission of Israel in all its prominent details and arrangements in every popular branch of its æsthetic as well as its ritualistic aims and object. Fraternally submitted,

S. H. SONNESCHEIN.

A resolution to the same effect was also received from the Rev I. Stemple, of Macon, Ga. The resolutions were referred to a committee consisting of Drs. S. Sonneschein, A. Hahn, I. Schwab, Rev. S. Mannheimer and Rabbi E. N. Calisch.

SABBATH-SCHOOL.

The following appeal was read to the Conference:

AN APPEAL TO THE CENTRAL CONFERENCE OF AMERICAN RABBIS.

GENTLEMEN:—The members of the Central Conference of American Rabbis are hereby urgently requested by the Executive Board of the Hebrew Sabbath-school Union of America to exert their influence, both collectively and individually, to have their re-

spective Sabbath-schools join the Hebrew Sabbath-school Union of America. Respectfully submitted,

MR. M. LOTH, *President*
RABBI CHAS. LEVI, *Secretary.*

Referred to committee: Dr. M. Samfield, Rabbis Chas. Levi and M. Wertheimer.

A resolution was offered by the Rev. Faber, of Titusville, Pa., that a reassertion of the Declaration of Principles of the Pittsburg Conference of 1885 be made by this Conference, and to appear in the Year Book of the Conference. Referred to Drs. Schreiber, Machol and Faber.

The following resolution was handed in by Dr. I. S. Moses:

Be it resolved, That a committee of three be appointed to report to the Conference by to-morrow afternoon, as to the best of the existing Sabbath-school books for Biblical History and Ethics; such books to be recommended to the Sabbath-school Union to make suitable arrangements with the respective authors or owners of copyright for purchase of the same.

I. S. MOSES.

Referred to same Committee on Appeal from Sabbath-school Union.

On motion, the Conference then adjourned to meet next day at 9 A. M.

FOURTH SESSION.

CLEVELAND, July, 15, 1891.

Conference called to order at 9 A. M., with President Dr Wise in the Chair. Prayer was offered by Rabbi Chas. Levi. Minutes of preceding sessions read and with slight changes approved.

The Chairman of the Conference stated that he had read in one of the morning papers that a member of the Conference "threatened to bolt." It was explained that in the debate on the eligibility to membership, Dr. Schwab had said he would withdraw if laymen were admitted as members. The Chairman insisted that an explanation should be made On motion, Dr. Sonneschein was appointed to see Dr. Schwab and elicit an explanation from him.

Dr. Philipson was then introduced and read his paper on "Confirmation in the Synagogue" (See Appendix B.)

The paper was discussed by Drs. Samfield, Grossman and Schreiber.

The following resolution was introduced by Dr. Wise:

Resolved, That a committee of three be appointed to report to next year's Conference the syllabus of Dr. Philipson's paper on the subject, and add thereto such elaborations, amendments and recommendations as they shall deem proper.

Amended to be a committee of five instead of three, it was referred to Drs. Wise, Philipson, Samfield, Grossman and Moses.

The Committee on Ritual reported as follows:

To the Central Conference of American Rabbis:

Gentlemen:—We, your committee appointed to consider the propositions for a Union Prayer-book submitted to the Conference, beg leave to report as follows:

Whereas. It can not be denied that a demand for a Standard Union Prayer-book is prevailing everywhere in the reform synagogue of American Israel; and,

Whereas, This demand is prompted by the motive and prospect that such a uniformity in our ritual would serve as a powerful magnet to draw together the varying and desperate religious views and sentiments of American Reform Judaism, and serve as an expression of its noblest aspirations; be it, therefore,

Resolved, That this Conference elect a committee of ten, to be instructed and authorized to submit to the next annual meeting the material for such a uniform ritual for public and domestic service; and, be it further

Resolved, That this ritual embody the oldest and essential elements and best parts of our traditional worship, by adhering as much as possible to the sacred language and living historic mission of Israel, adding such elements of devotion as are in full sympathy with the advanced and progressive sentiments of the religious thought of to-day. Be it further

Resolved, That it is deemed advisable to compose a set of three or four rituals for alternation on Sabbaths and on such holidays where alternation is commendable. Be it further

Resolved, That the equivalents of the Hebrew prayers given in the vernacular be more in the nature of original productions than of mere translations. Be it further

Resolved, That the service for the Day of Atonement be so arranged as to give a series of meditations, psalms, responsive readings, etc., for use during the intervals of the regular service. Be it further

Resolved, That an appendix be attached, containing rituals for confirmation, marriage and burial, services for death, anniversaries (Yahrzeit, and for the Seder) and a selection of hymns.

DR. SONNESCHEIN, *Chairman.*
DR. HAHN.
DR. SCHWAB.
RABBI MANNHEIMER.
RABBI E. N. CALISCH, *Secretary.*

The report of the committee was adopted and the Chair appointed the following committee: Drs. Sonneschein, Sale, Philipson Adolph Moses, Grossman, Machol, Landsberg, Berkowitz, Mayer and Rabbi Charles Levi.

Dr. Schwab then gave a correction of a misinterpretation that had been made of his words by a daily paper, and declared that he was no dissenter, but was for unity, heart and soul.

The Committee on Dr. Mielziner's paper on "Marriage Agenda" reported as follows:

To the President and Members of the C. C. of A. R.:

GENTLEMEN:—The committee appointed by your honorable body relative to the "Agenda for the Solemnization of Jewish Marriages," as proposed by the Rev. Dr. M. Mielziner, beg leave to report that they heartily commend the ritual as suggested by the learned gentleman, and that with the emendation of very few modifications of an insignificant character, your committee most cheerfully indorse Dr. Mielziner's ceremonial as very serviceable and completely worthy of general adoption. Very respectfully,

L. MAYER.
M. LANDSBERG.
A. GUTMACHER.
DR SCHWAB.
L. GROSSMAN.

It was decided, on motion, that this committee after making proper emendations submit their report with paper to the General Committee on Ritual.

The committee on the resolution to reassert and embody in the Year Book of the Conference the Declaration of Principles made by the Pittsburg Conference, submitted two reports, as follows:

(*a*) MAJORITY REPORT.

To the Central Conference of American Rabbis:

The majority of your committee on the resolution: "Resolved, That the Declaration of Principles adopted by the Pittsburg Conference be reasserted and inclosed in the Year Book of the Conference," beg leave to say that we heartily recommend the above resolution for acceptance.

M. FABER.
DR. E. SCHREIBER.

(*b*) MINORITY REPORT.

To the Central Conference of American Rabbis:

I am opposed to have the Declaration of Principles adopted by the Pittsburg Conference inserted in our Year Book, for the reason that at the time of their adoption I was opposed to some of them, and am still opposed to them, and am also aware that there are members of this Conference who are likewise opposed to them.

DR. M. MACHOL.

On motion, the reports were amended to the effect that a committee of three be appointed to collect all the declarations of reform that have been adopted by various Conferences, and record them in the Year Book. The Chair appointed Drs. Schwab, Mayer and Schreiber as the committee. The Secretary was instructed to act in conjunction with Dr. Mayer to secure material from Dr. Adler, of New York.

The Committee on Appeal from Sabbath-school Union and the resolution of Dr. Moses reported as follows:

Gentlemen of the Central Conference of American Rabbis:

Your committee to whom was referred the Appeal of the Sabbath-school Union of America unanimously concur with the sentiments of the Executive Committee of the H S. S. U. of America, and recommend that each rabbi of this Conference exert his utmost to further the aims and objects of this union.

Furthermore, the communication of Dr. Schreiber, being in its nature a prepared paper on "How to teach Biblical History in our Sabbath-schools," we recommend to be read to the Conference.

The resolution of Dr. I. S. Moses, providing for an examination and recommendation of books of Biblical History and Ethics with a view to recommending the same to be purchased by the Hebrew Sabbath-school Union of America, offers to your committee the difficulty of lack of time which such an examination of such books would require. We, therefore, deem it more expedient that a committee of three be appointed to act upon the suggestion of the

resolution and report the same to the Executive Committee of the Central Conference during the coming year.

DR. M. SAMFIELD.
CHAS. LEVI.
MAX WERTHEIMER

The report was adopted by its paragraphs and then as a whole. Rabbis Chas. Levi, Faber and Reich were appointed the committee.

Dr. Schreiber then read a paper on "How to Teach Biblical History in our Sabbath schools." (See Appendix C.)

On motion, the Conference now went into election of officers, leaving all unfinished business in the hands of the Executive Committee.

The Chair appointed Drs. Sonneschein, Spitz and Reich as Committee on Nomination, and the Revs. Schanfarber, Mannheimer and J. Grossman (of Youngstown, O.) a committee to draft resolutions of thanks.

After a short recess the Committee on Nominations reported as follows:

For President,	DR. I. M. WISE.
" Vice-President,	DR. M. LANDSBERG.
" Corresponding Secretary,	DR. D. PHILIPSON.
" Recording Secretary,	DR. H. BERKOWITZ.
" Treasurer,	DR. A. HAHN.

Executive Committee: Drs. Sonneschein, M. Machol, L. Mayer, M. Mielziner, J. Stolz, M. Samfield and Adolph Moses.

The Secretary was instructed to cast the vote of the Conference for the officers nominated, which was done, and the President declared them duly elected and qualified.

The Committee on Resolutions of Thanks reported as follows:

We, the committee appointed to draft resolutions of thanks to all those who have extended us their hospitality, and thereby rendered the stay of the members of the Central Conference of American Rabbis in the city of Cleveland pleasureable and materially aided us in the performance of our work, do hereby propose the following:

Resolved, That our thanks are eminently due and are hereby tendered to the two congregations, Tifereth Israel and Anshe Chesed, their officers and spiritual leaders, the Rev. Drs. A. Hahn and M. Machol,

to the Excelsior Club, the Board of Directors of the Jewish Orphan Asylum, to the Press and to the Young Men's Hebrew Association, for having placed at our disposal the use of their hall,

Resolved, That we acknowledge the able manner in which the officers of this organization have discharged their duties.

S. Mannheimer.
J. B. Grossman.
Tobias Schanfarber.

The resolutions were adopted as read, and after listening to a spirited and eloquent address from Vice-President Dr. M. Landsberg, the Conference adjourned to meet in the evening at the Excelsior Club Rooms.

LAST SESSION.

Excelsior Club Rooms,
Cleveland, July 15, 6 p. m., 1890.

The Conference met first around the bounteous board, spread in the dining-room of the Excelsior Club, by the gracious hospitality of the Jewish citizens of Cleveland. After the repast had been fully discussed and toasts indulged in by various members of the Conference and gentlemen of the city, the Conference adjourned to the spacious hall of the Club.

Rabbi E. N. Calisch, of Peoria, Ill., offered prayer, and Dr. A. Hahn read his paper on the "Rabbi and the Congregation." (See Appendix D.)

After a few remarks from the President, the First Annual Council of the Central Conference of American Rabbis adjourned to meet in Baltimore in 1891.

Edward N. Calisch,
Secretary pro tem.

[APPENDIX A.]

THE MARRIAGE AGENDA.

A Paper read by Prof. Dr. M. Mielziner.

Mr. President and Members of the Central Conference:

In compliance with the request of the Executive Committee of our Conference, I have drafted a plan of a ritual for the solemnization of Jewish marriages. In submitting this plan I beg leave to preface it with a brief account of the origin and the development of the mode of solemnizing marriage as hitherto established in Judaism. This will the better enable us to distinguish between the essential and the non-essential in the customary marriage ceremonies. What I have to say in this respect will, of course, not be a new revelation to my learned colleagues, who are certainly familiar with the sources of this subject. Moreover I have already treated of this subject more fully in my book on "The Jewish Law of Marriage and Divorce," and shall, therefore, restrict myself to its principal points only.

The act of entering into this most important and most sacred of all domestic relations was ever attended with some forms and solemnities which varied in different ages and countries. What is the purpose of such forms and solemnities? It is to impress the parties to the marriage with the importance of the step they are about to take, and with the sacredness of the mutual duties their new relation imposes upon them, and, besides, to manifest the fact that they have been lawfully united as husband and wife.

In the Mosiac law no fixed forms of concluding marriages are mentioned. But the distinction occasionally made in the law between the *betrothed* and the married woman (Deut. xx. 7; xxii. 22–29) points to some kind of formality by which that different state was marked. In the words וארשתיך לי לעולם (I betroth thee unto me forever, etc.), in which the prophet Hoshea (ii. 19–21) alludes to a betrothal, and which the *Karaites* still use to recite in their wedding ritual, we have perhaps the oldest formula used in the biblical period on the occasion of betrothals.

It was not till the time of the Second Jewish Commonwealth, when the Rabbinical law developed on the basis of the Mosiac code, that certain legal formalities were established for the act of contracting marriage. With the intervening lapse of time, varying from one month to a full year, the act consisted of two distinct parts, namely, the *Betrothment*, termed אירוסין or קדושין and the *Nupitals*, termed נישואין or חופה.

The betrothment is according to Rabbinical and even already according to the Mosaic Law, not a mere promise to marry, but it is the very initiation of the marriage contract. The betrothed parties are regarded as married, though not yet entitled to the marital rights nor bound to fulfill any of the mutual duties of conjugal life, as long as the *marriage* was not consummated by the nuptials. The betrothment could be dissolved only through death or a formal divorce.

In accordance with the general theory of the Talmudical law that no contract can be formed by mere consent of the parties, but that the consent has to be manifested by a certain legally established act or formality, in order to make the contract valid, the mere consent of the parties to marry each other is not sufficient to constitute a betrothment, but a certain act or formality is required by which the mutual consent is legally manifested. For this purpose there are two especial formalities, either of which gives legal validity to its marriage contract, one termed כסף, the other שטר.

The betrothment or marriage contract by כסף, consisted in this, that, in the presence of two competent witnesses the man gave to his chosen bride a piece of money or any object having the value of at least one *Peruta*, with the words: "Be thou consecrated (or wedded) to me." This formula could also be replaced by other words, expressing the same idea, as: "Be thou my betrothed," "Be my wife," "Be mine," or similar phrases. The first-mentioned formula, however, was more generally used. It was later on, probably not earlier than in the twelfth or thirteenth century, increased by the words: כדת משה וישראל (according to the law of Moses and Israel), and when about at the same period it became customary to perform the act of betrothment by means of a plain ring instead of a piece of money, the words בטבעת זו (by this ring) were added, so that the formula now reads: הרי את מקודשת לי בטבעת זו כדת משה וישראל.

The betrothal by שטר consisted in giving to the bride a written document containing the formula before mentioned, instead of a

piece of money or its value. This mode of betrothment, however, seems to have been resorted to only under extraordinary circumstances, as the first mentioned mode prevailed.

The ritual law of the Talmud required that a benediction be pronounced at the betrothment. This benediction, termed ברכת אירוסין, was, according to Talm. Kethuboth 7*b*, formulated by Rab Judah bar Jecheskel, the founder of the academy of Pumbaditha, in the third century. It expresses the Lord's praise because of the regulation and sanctification of matrimony. Besides, it alludes to the law that the betrothed parties are not permitted to enter upon the conjugal life before having completed their union by the ceremonies of the nuptials. The legal validity of the betrothment is by no means affected by the omission of the benediction.

By the way, it may be mentioned here that rabbinical authorities of the Middle Ages already criticized the phraseology of this benediction. They found it strange that here (וצונו על העריות ואסר לנו את הארוסות) a benediction is pronounced for a *prohibitory* law, which is without parallel in the Jewish liturgy, as this otherwise established benedictions for the fulfillment of *commandatory* laws only. Besides, the objection was raised that in the phrase ע"י חופה וקידושין the order of the succession of the two acts is reversed since betrothal precedes the nuptials. (See Rabbenu Asheri's remark is his epitome of Tal. Kiddushin.) Concerning the last-mentioned objection some maintain that the phrase originally read חופה בקידושין, but the ב without Dagesh having almost the sound of a *vaw*, was by mistake replaced by the letter ו. (See חלקת מחוקק on Eben Ha-Ezer xxxiv. i.)

As regards the *nuptials* (נישואין), the most essential act of the same consisted in conducting the bride from her home to that of the bridegroom, or a place representing his home. By this act, indicating that she was now placed under his marital authority, and that they now commenced to live together as husband and wife, the marriage was regarded as consummated.

The religious ceremonies attending the nuptials consisted mainly in the recital of ברכות נישואין the nuptial benedictions, either by the groom himself, or by any of his friends present. These benedictions refer to the divine origin of marriage, and invoke God's blessing upon the young couple. The Mishna, dealing mainly with the *legal* forms of marriage, makes no mention of the benedictions, but a Baraitha mentions them under the name of ברכות חתנים

without however formulating them. It is the Gemara (Kethuboth 8*a*) which quotes them in their present form on the authority of the above-mentioned Rab Judah bar Jecheskel.

Before the parties entered into conjugal life it was generally regarded necessary to write a document termed כתובה, the marriage deed, containing some articles of marriage settlements by which the wife was entitled to receive a certain sum from her husband's estate in the case of his death or in the case of her divorcement In some places, however, it was not deemed necessary to write such a formal document, as the husband was regarded bound to the contracts of the Kethuba though not made out in writing.

Since the fifteenth or sixteenth century it became customary to combine the act of betrothal with the ceremonies of the nuptials on the wedding day. The combined act generally took place under a canopy or baldachin which represented the ancient חופה, the bridal chamber. Instead of such a canopy a simple מלית or shawl was used in some countries with which the heads of the bridal couple were covered during the benediction. Some authorities claim that the real חופה is any room in which the groom and bride have their first tête-à-tête. (See Eben Ha-Ezer lvi. R. Moses Isserles' gloss.)

It was also customary to read the כתובה between the combined acts, and to introduce the ritual of the betrothment as well as that of the nuptials with a benediction over a cup of wine as a symbol of joy, and finally to let both the groom and the bride drink of each of the two cups. This latter custom, however, belongs to the post-Talmudic period.

In the modern mode of solemnizing Jewish marriages the essential elements of the combined acts of betrothal and nuptials are retained though more or less modified. These essential elements are: the placing of the wedding-ring on the bride's finger by the groom in the presence of two witnesses; and the recital of the formula of betrothment by him, preceded by a benediction, the ברכת אירוסין, and followed by the nuptial benedictions, ברכות נישואין.

Some immaterial and obsolete ceremonies and usages, however, are mostly done away with, and replaced by other forms more in harmony with the views and the tastes of our time. Of the usages mostly dispensed with, I mention especially the canopy (chuppah) spread above the heads of the couple during the marriage ceremony, and the use of the *Kethuba*. Formerly, when, as was often the case, the marriage ceremony took place in open air, such a canopy was regarded necessary as a representation of the bridegroom's home, into

which he conducted his bride, and besides it added somewhat to the solemnity of the occasion. In our time the room in which the marriage ceremony is performed, be it the hallowed place of worship or a place of family or social gathering, represents more fittingly the original *Chuppah.*

Regarding the *Kethuba,* it is true that great importance was in ancient times attached to that document, as long as the wife was not regarded as a legal heiress to the estate of her deceased husband, and as long as a man could divorce his wife against her will. Her claim to which she was entitled by the *Kethuba,* secured her at least a little sum in case of her becoming a widow, and proved in many cases an effective means of protecting her against a rash and inconsiderate divorcement. Since the wife in our days is in both respects sufficiently protected by the civil laws of the country, and in many cases also by special marriage settlements made in more legal and binding form, the *Kethuba* has entirely lost its former importance, and is an unnecessary, useless formality.

To the laudable innovations almost generally adopted in the wedding ceremonial belong:

(1) The introductory address by the officiating rabbi, in which he reminds the parties to the marriage of the importance of the step they are about to take, and of the sacredness of the mutual duties which their new relation imposes upon them.

(2) The question put to each of the parties, whether they of their own free will consent to be united as husband and wife, and pledge themselves to fulfill their respective duties in love and faithfulness.

In some respects, however, there is no uniformity in the modern mode of solemnizing marriage. The main difference concerns the language of the ritual. Instead of the established Hebrew formula of betrothment and the benediction preceding and following it, some modern rabbis prefer to use a corresponding formula and corresponding prayers in the vernacular. I think that even from a strictly rabbinical standpoint there can be no objection against this innovation. Regarding the formula of betrothment, Maimonides expressly says:

ויש לאיש לקדש האשה בכל לשו שהיאן מכרת וכו'

"A man may betroth the woman in any language or phrase which she understands, and which expresses the meaning that he betrothes her." (Hilchoth Ishoth iii 8; see also Beth Shemuel on Eben Ha Ezer xxvii. 1.)

Regarding ritual benedictions in general, the same authority says:

כל הברכות כולן נאמרין בכל לשון והוא שיאמר כעין שתקן חכמים ואם שינה את המטבע הואיל והזכיר אזכרה ומלכות ועין הברכה אפילו בלשון חול יצא.

"All ritual benedictions may be recited in any language provided their contents, as established by the sages, is retained. Hence, though one in reciting them changed their form, as long as God's name and his dominion are mentioned and the main contents of the benediction is rendered, be it even in a common language, still he has done his duty." (Hilchoth Berachoth i. 6.)

The main reason for retaining the marriage ritual in the Hebrew language is the regard for the prevailing custom among our fellow-believers in all countries of the world. There are, besides, circumstances where the use of the Hebrew ritual becomes necessary, namely, in cases where one or both of the parties to the marriage are foreigners, not yet sufficiently familiar with the language of the country.

I, therefore, deem it advisable that in the Agenda to be adopted by our Conference the ritual be given in Hebrew as well as in English, and that it be left to the option of the officiating minister to use either of them.

In the Hebrew ritual I would suggest only a few changes, or rather omissions, which, for obvious reasons, have already been adopted by some of our progressive colleagues in this country (f. i. in the Agenda contained in the Rev. Dr. Szold and Jastrow's Haus-Andacht.)

It is a matter of course that the English ritual is not to be a mere translation of the Hebrew, though retaining its general character and contents.

The custom of using cups of wine at the wedding ceremony originated in the post-Talmudic period, as the Talmud makes no mention of it. Maimonides mentions it, but not as absolutely necessary. He says:

ואם יהיה שם יין -- מסרר את כולן על הכוס וכו'

(Hilchoth Ishoth x. 4; compare Maggid Mishne on this paragraph.) In wedding sermons, the cup of wine from which both bride and bridegroom drink has, as you know, often been symbolized as an indication that the young couple are willing henceforth to drink from the cup of life whatever Providence may allot to them. But ingenious and beautiful as this symbolic meaning may be, it is certain that it was not originally connected with that custom.

Many of our modern rabbis abolished this custom as unnecessary and incompatible with the solemnity of the occasion. I would suggest it be left to the judgment of the officiating minister whether to practice this, certainly unessential, custom or not.

Also the use of two wedding-rings instead of one should be optional. The purpose of this innovation is to express the full equality of woman with man in the conjugal relation, so that just as he consecrates her to be his alone, so she consecrates him to be hers alone, in person and affection. But to express this idea it is not just necessary that the bride also on her side tenders a ring to the groom; it will suffice to let her pronounce a formula of consecration similar to that with which he consecrates her.

In conclusion, permit me to say that, impressed as I am with the desireableness and the necessity of effecting more uniformity not only in the wedding ceremonial but also in all affairs of religious life, especially in the prayers and ceremonies of our public worship, as the principle of איש הישר בעיניו יעשה (every one doing as he pleases) has always proven detrimental to the sacred cause of Judaism, still I am of the opinion that we must beware of going to the extreme in this respect, by endeavoring to establish uniformity even in the minutest particulars of religious practices. Let us not seek that uniformity which has no room for individual opinions, no regard for local wants and circumstances, and which excludes all variety and all freedom of action. Such uniformity leads to stagnation. In this period of transition through which American Judaism is evidently passing and in which the views concerning many religious questions are still so widely differing, in this period especially let our motto be: Uniformity in essentials, freedom and variety in that which is unessential and of less importance.

MARRIAGE AGENDA.

1. *Wedding Address* by the officiating minister.

2. *Questions to the couple*, which may be introduced in the following way:

Before proceeding to the sacred act by which you are to be united in wedlock, I have to ask you the following:

Mr .... (name of the bridegroom), do you of your own will and consent wish to be united in marriage with this your bride, and do you pledge yourself to fulfill your duties as her husband in love and fidelity?

If so, please answer: "Yes."

And you, M .... (name of the bride), do you of your own free

will and consent wish to be united in marriage with this your bridegroom, and do you pledge yourself to fulfill your duties as his wife in love and fidelity?

If so, please answer: "Yes."

3. *Benediction*, either in Hebrew or in English.

Be praised, O Lord our God, Ruler of the Universe, who hast sanctified us through thy law and hast instituted the holy state of matrimony, and by the union of husband and wife has provided for the welfare and happiness of mankind. Be praised, O God, who sanctifiest us through the holy covenant of matrimony.

Amen.

בָּרוּךְ אַתָּה יְיָ אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם. אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ עַל הָעֲרָיוֹת. וְאָסַר לָנוּ אֶת הָאֲרוּסוֹת. וְהִתִּיר לָנוּ אֶת הַנְּשׂוּאוֹת לָנוּ. עַל יְדֵי חֻפָּה וְקִדּוּשִׁין. בָּרוּךְ אַתָּה יְיָ מְקַדֵּשׁ עַמּוֹ יִשְׂרָאֵל עַל יְדֵי חֻפָּה וְקִדּוּשִׁין:

4. *Espousals.*

(Minister to the bridegroom):

Mr ...., espouse now this your bride by means of a ring, according to the usage and customs in Israel. Place your ring on the (index) finger of her right hand, and pronounce the following words:

"Be thou consecrated to me as my wife according to the law of God and of man."

הֲרֵי אַתְּ מְקֻדֶּשֶׁת לִי בְּטַבַּעַת זוֹ כְּדַת מֹשֶׁה וְיִשְׂרָאֵל:

(Minister to the bride):

Please repeat the following words:

"Be thou consecrated to me as my husband according to the law of God and of man."

5. *Prayer*, either in Hebrew or in English.

O God, who art glorified in all thy creation, thou hast created man in thy image and hast implanted in his heart noble impulses of love and kindness, and desires for joy and happiness.

בָּרוּךְ אַתָּה יְיָ אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם. שֶׁהַכֹּל בָּרָא לִכְבוֹדוֹ: בָּרוּךְ אַתָּה יְיָ אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם אֲשֶׁר יָצַר אֶת הָאָדָם בְּצַלְמוֹ. וּבְצֶלֶם דְּמוּת תַּבְנִיתוֹ הִתְקִין לוֹ מִמֶּנּוּ בִּנְיַן עֲדֵי עַד. בָּרוּךְ אַתָּה יְיָ יוֹצֵר הָאָדָם:

בָּרוּךְ אַתָּה יְיָ אֱלֹהֵינוּ מֶלֶךְ
הָעוֹלָם . אֲשֶׁר בָּרָא שָׂשׂוֹן
וְשִׂמְחָה . חָתָן וְכַלָּה גִּילָה וְרִנָּה .
דִּיצָה וְחֶדְוָה . אַהֲבָה וְאַחֲוָה .
וְשָׁלוֹם וְרֵעוּת . שַׂמֵּחַ תְּשַׂמַּח
רֵעִים הָאֲהוּבִים כְּשַׂמֶּחְךָ יְצִירְךָ
בְּגַן עֵדֶן מִקֶּדֶם . בָּרוּךְ אַתָּה יְיָ
מְשַׂמֵּחַ חָתָן עִם הַכַּלָּה :

Thou hast destined woman to be man's helpmate, to share his joys and his sorrows, and to assist him in his labors and endeavors. Be praised, O God, who providest for the happiness of man.

We beseech thee, O God, grant that these two, who in thy presence have pledged love and fidelity one to the other and who are now united in marriage, may experience the ennobling influence and the richest blessings of this union. Grant them thy divine protection, bless their labors, and may their undertakings prosper. May they ever live together in love and peace, and find their greatest joy in making happy one the other. May their home which they found this day be a true home in Israel, adorned with the ancestral virtues of piety and purity, of modesty and charity. Be praised, O God, who causest the heart of bride and bridegroom to rejoice. Amen.

6. *Declaration and Final Benediction.*

By virtue of my sacred office and by the authority of the laws of this State and country I now declare you husband and wife, united in legal and valid marriage, according to the law of God and man.

יְבָרֶכְךָ יְיָ וְיִשְׁמְרֶךָ

The Lord bless you, and guard you:

The Lord make his countenance shine upon you, and be gracious unto you;

The Lord lift his countenance upon you, and give you peace, peace in your hearts, and in your home. Amen.

[Appendix B.]

CONFIRMATION IN THE SYNAGOGUE.

By Dr. David Philipson.

The ceremony of confirmation is an established fact in the public service of Judaism, not only in all the reformed, but in many of the conservative congregations. The efficacy and beauty of the act have appealed so strongly to all who have the welfare of our youth at heart that it appears strange to hear any objection raised, and, in truth, in our day these objections are only heard very rarely. Time has wrought a wonderful change here. What was looked upon as a startling and dangerous innovation in the beginning of the century is now accepted as a matter of course. Confirmation needs no justification now, although at the time of its introduction it required its apologists. It was decried as a servile imitation of Christianity, as entirely foreign to the spirit of Judaism. Its advocates found it necessary to appear in the lists of literature and to break a lance in its defense. More than twenty years after the first ceremony had been performed, Dr. Herxheimer deemed it incumbent upon himself to thoroughly investigate the whole subject in answer to the charges and objections entered by the opponents. In a very interesting and learned paper on the theme, "Ueber die synogogalische Zulaessigkeit und Einrichtung der Confirmation," published in the year 1835, he clearly showed, in answer to the question, "In wie weit ist eine Confirmation in der Synagoge zulaessig?" that although traditionally the ceremony was foreign to the synagogue, yet in view of the needs of the time and the changed religious conditions, confirmation was not only permissible in, but highly advantageous to the synagogue. (See Geiger's "Wissenchaftliche Zeitschrift fuer judische Theologie," I. 68 ff.) It is not necessary to review these grounds and reasons now, nor to show that confirmation is a permitted act. It has become part and parcel of the public service of Judaism, and these early discussions as to its validity have only a historical value Like all the religious customs of Judaism it arose and was introduced at a time when the need for it

was felt, and it will be retained as long as it is conducive to the welfare of the religion. When it is no longer so it will be abolished, as all religious forms must be when they have lived their day, to make room for something better.

Although a Jewish writer of the present day need offer no apology for his co-religionists for having adopted confirmation, nor give any reasons for its validity, yet a historical review, especially of the early days which marked the introduction of the ceremony, may not prove uninteresting.

The first official recognition was extended to the ceremony by the Jewish Consistory at Cassel in the year 1809; it devoted two paragraphs to the duties of the rabbi, the tenth and the eleventh, which read as follows: "(10) The rabbi must supervise the schools and charitable institutions of the Jews so that the good intentions of the state may be realized. (11) He must prepare the young for confirmation and himself perform the act of confirming them."

In accordance with this resolution the first confirmation of which we have any record took place in Cassel in the year 1810, through the agency of the Westphalian Israelitish Consistory. One boy was confirmed and blessed by the rabbi. Yet the friends of the movement were diffident at the start. The ceremony was performed, not in the synagogues, but in the school-rooms; not by the rabbis, but by the teachers; not with girls, but only with boys. This, however, soon changed. The ceremony obtained its first legal sanction in Denmark in 1817. In the temple at Hamburg Dr. Kley confirmed a mixed class in 1822, the first time that the ceremony was performed anywhere in the house of worship. The first class of girls in Frankfort was confirmed in 1828, although the act had been performed already two years before. In Munich the first confirmation of girls took place in 1831. Legal sanction was given to the act in Hessen and Saxony in 1835. A great victory was gained by the friends of the movement, when in 1831 the learned orthodox rabbi, Solomon Eger, in Braunschweig, and about the same time Loeb Berlin, in Cassel, confirmed classes. From then on it was gradually introduced throughout Germany, obtaining in many places the sanction of the government. In France the first ceremony took place in 1841 in the city of Bordeaux. On the 12th of October, 1843, twenty boys and twenty-two girls were confirmed in the great synagogue of Paris by the Grand Rabbi Ullman. The next French city to adopt it was Marseilles, in 1850. The conference of French Grand Rabbis held in 1850 empowered the grand rabbi of the Cen-

tral Consistory to compose a ritual so that the confirmation might be celebrated in the same manner in all the synagogues of France (Loew, Lebensalter, 222.) A book published in 1864 on the subject, "L'initiation Religieuse," by L. Hollandaerski, discusses the subject of confirmation in general and especially as celebrated in France. In one place the author says: "What difference can it make to us that the confirmation is a foreign custom? Let us adopt the good from all religious cults as did our ancient rabbinical doctors. Was not the wedding-ring taken from the Romans? The covering of the head during prayer is an ancient custom of the Orient. The washings of the hands and the face in the morning three times, are Persian customs. (Quoted in Loew, Lebensalter, 412.)

The first confirmation ceremony in America whereof I have found any trace was conducted by Dr. Max Lilienthal in the synagogue of the Anshe Chesed Congregation, New York, on Shebuoth, 1846. To quiet the qualms of conscience that might arise to disturb any of the congregation because of the innovation, Dr. Lilienthal, as we learn from a correspondent of the *Occident* who wrote a letter detailing the good work of the rabbi in New York, "gave convincing evidence that the ceremony of confirmation is in accordance with the strictest rules of orthodoxy." (*Occident* iv. 552.) It is unnecessary to say anything more in regard to the prevalence of the ceremony in this country, as it has become quite universal, the fewest congregations permitting the feast of Shebuoth to pass without the confirmation service. I shall close this short historical review with two quotations, the one from Jost, written in 1846, the other from Leopold Loew, written in 1874 Says Jost in the Culturgeschichte:

„Lange Zeit als eine unzuverläſſige und fremdartige Neuerung fern gehalten, ward dieſe, ehemals nur für Knaben, und höchſt unbefriedigend, üblich geweſene Feier endlich in ihrem Werthe erkannt und als weſentlich in vielen Synagogen eingeführt." (Col. III., 163.)

And Loew, after reviewing the introduction and institution of confirmation in various countries and considering the footing the ceremony has gained, closes his chapter on confirmation with the following passionate paragraph, the more remarkable inasmuch as Loew usually writes with all the calm and quiet of the objective historian:

„Angeſichts dieſer Thatſachen (viz., the introduction and progress of confirmation) lieſt man mit Indignation das Urtheil des Geſchichtsſchreibers Grätz, nach welchem die Confirmation nichts anderes iſt als ein

„Ableiern von Glaubensbekenntniß," was im Judenthum keinen Sinn hat! Freilich die Bar-Mizwah-Derascha, von Ephraim Lentschütz, hatte einen Sinn im Judenthum!! Für diese begeistert sich mit Recht eine Historiographie, die keine Lehrerin der Wahrheit sein will, sondern eine Sklavin der Reaktion . . . " (Lebensalter, p. 222)

AS WHAT SHALL WE REGARD THE CONFIRMATION?

What is the confirmation? Is it essential in the ritual of Judaism? Is it necessary for a person to be confirmed in order to be considered a Jew? Is it necessary to pass through this ceremony in order to become affiliated with the congregation? Has the confirmation any official character, or is it only a by-ceremony which has been introduced into the synagogue in order to beautify the service of Shebuoth and to serve as the cap-stone, as it were, to the education and training received by the child in the Sabbath-school? These questions merit our full and close attention, and it is to be hoped that this Conference will arrive at some decision defining the real aim and import of the act. Some thirty years ago a controversy on this subject waged between Holdheim, Leopold Stein and Wechsler, rabbi of Oldenburg. Holdheim had declared in his treatise on "Moses Mendelssohn und die Denk und Glaubensfreiheit im Judenthum, mit besonderer Beziehung auf die Confirmation," that the confirmation means the entrance into or the acceptance of Judaism, for, says he, "A free and voluntary entrance into the religion must be as essentially a feature of the confirmation as the confession of faith; the two must be considered as interconnected." Stein had written in his catechism תורה ומצוה that the confirmation does not mean the entrance into the bond of the religion to which every Israelite belongs by birth, but it designates the affiliation with the congregation. Wechsler, agreeing with neither, declared that the confirmation is the end and conclusion of the religious instructions, the first public religious act of the child, and the impressive ceremony whereby the nature of the child is worked upon by the rabbi and actuated toward a good and upright life. (Stein's Israelitische Volkslehrer viii. 344.) Things have not much changed since then. There are hundreds and thousands and tens of thousands who have never been confirmed, and yet they pass for Jews; so, then, the confirmation can not be the one essential, the only ceremony by the performance of which the person becomes a member of the Jewish religion. There are, too, hundreds and thousands belonging to Jewish congregations throughout the world who have never been

confirmed, so that membership in the congregations, even in those in which the ceremony of confirmation exists, is not made dependent upon this. And yet although such be the case, it seems that some test such as confirmation and profession of belief should be instituted. We should have some other besides the birth test. There are any number of men and women who have been born Jews who are no more Jews in belief than is the heathen; there are again, on the other hand, great numbers of intelligent men and women, and their number is increasing all the time, who are to all intents and purposes Jews in belief, and yet they are not considered such, nor can they even become such, nor can they join our congregations, because the conditions for entrance into the synagogue are such as they, if males, can not comply with and no right-thinking person cares to impose upon them. A confirmation in the principles of Judaism should be declared necessary and sufficient for young or old. In our congregations every child should be led to expect and await that it must be confirmed. Our confirmation classes should consist of hundreds and not of tens. There can be little question to us as to who was right—Mendelssohn, who claimed that Judaism was only a legalism, a religion of ceremony, a doing, or the Jewish religious reformers of this century, who have claimed, in opposition to Mendelssohn, that it is a religion of the spirit, whose mission it is to realize the prophetic ideals of one God and one mankind.

If the former, confirmation is entirely out of place; if the latter, confirmation is the public act of giving expression to the adherence to this religion of the spirit. If confirmation can not be made obligatory, and, as matters now stand, we must still say, Born a Jew, always a Jew (even if there is never any affiliation with the work of Judaism), provided there has not taken place an open abjuration of the religion, yet would it be a good and wise step forward if this or any other representative body would declare that, for those not born Jews but who yet believe in the truths and principles of Judaism, public confirmation and confession, *and this alone*, is the condition necessary for entrance. As for children born of Jewish parents, since the Bar Mitzvah, of which I shall speak at length presently, is an antiquated, soulless ceremony with no meaning for us and our time, some public expression of belief is necessary. As formerly the so-called Bar Mitzvah ceremony was a matter of course, and every boy at the age of thirteen recited at least the Bracha in the presence of the congregation, so now, by continuous,

continual and careful attention to the matter, can we make the confirmation the intelligent public expression of entrance into the bond of Judaism. Confirmation would then mean for us that public impressive ceremonial whereby the confirmants shall declare their purpose to believe in and uphold the principles of Judaism, a responsible, self-actuated confession of their religious belief.

CONFIRMATION AND BAR MITZVAH.

The Bar Mitzvah ceremony is a remnant of rabbinism. It was instituted in Germany. The expression Bar Mitzvah in this sense was not at all current before the fourteenth century. (See Loew, Lebensalter, 210.) The significance of the ceremony lay in the thought that a boy who had completed his thirteenth year had reached his majority, and the public expression of this fact consisted in the lad's reciting the ברכת התורה and reading from the weekly portion of the law. In the Talmud and later writings the male who was considered of age was called גדול or בר עונשין, and the sign of majority was not any certain age that the boy had reached, but the appearance of the שתי שערות, the attainment of the age of puberty. Making the time of the majority depend on a set and fixed age was, therefore, as Loew has pointed out, an *anti-Talmudic reform*. The naming of the thirteenth year as the proper age for considering the Jewish lad an adult to all intents and purposes is undoubtedly due to the tradition preserved in Mishnah Abot Perek v. 21, בן חמש שנים למקרא בן עשר למשנה בן שלש עשר למצות "The boy must begin the study of the Torah at five, of the Mishnah at ten years of age; at thirteen he must carry out the מצות," and the further expression attributed to R. Eleazer in the Midrash Bereschith R.. "Every man is responsible for his son unto his thirteenth year, then he must say the benediction ברוך שפטרני, 'Blessed be He who has delivered me from all responsibility for this one;'" *i. e.*, the responsibility of making the son engage in the study of the law, and the fulfillment of the commandments which had been the duty of the father to that time. The expression quoted above, בן שלש עשר למצות, must be understood the boy of thirteen or thereabout, *i. e.*, he who has attained the age of puberty, for in Palestine the male of thirteen or thereabout reaches that age. This passage is only Hagada, not Halacha, occurring in a popular enumeration of the duties and characteristics attaching to the different periods of life, a sort of Mishnaic precursor to the famed "Seven Ages" of the English poet. The expression מענשו של זה

in the benediction ברוך שפטרני (which benedction, by the way, is and was spoken by the father on the day of the son's Bar Mitzvah) well shows that the meaning is that the boy from then on was בר ענשין; *i. e.*, one who was responsible for the proper fulfillment of every commandment, and the proper observance of every duty which the law imposed upon the adult Jew. Before the fourteenth century, then, the very fact of a boy's attaining the age of puberty at the close of the thirteenth year of his life made him a גדול, a man, without any further ceremony or public expression. From the fourteenth century on, no matter how childish the child might be, the thirteenth year was the fixed time and the calling to the Torah in the synagogue the public sign of the event. During all these centuries the ceremony held its own, but it perforce became a dry form; if it ever possessed any meaning it lost it in time, and notably in this century when so many of the old laws to fulfill which was incumbent upon every Israelite in an earlier day have been by common consent silently disregarded and abolished as no longer expressive of the religious spirit. The Bar Mitzvah is a soulless ceremony without any signification; it is an old and worn tradition. When it was instituted it was a reform; it has lived its day. It would be preposterous for a father to say now ברוך שפטרני for a boy is not of age at thirteen, and the observance of some traditional Jewish customs, more or less, does not constitute manhood. And in what does the Bar Mitzvah consist now? The boy recites no Sedrah, not even a Perashah; he learns the Beracha very often, if not in most instances, from an English or German transliteration, ascends the platform, speaks the lesson he has learned by rote, much as a parrot would, without understanding a word he says or that he hears read from the Torah, returns to his parents, and the religious conscience is satisfied. The whole proceeding partakes of the nature of a farce and the sooner it is done away with the better. It was because of the soullessness, the meaninglessness, and the dry formality of the Bar Mitzvah ceremony that the confirmation has been introduced. The two can not exist side by side consistently. The confirmation takes the place of the Bar Mitzvah, and rightly so. In the early days of the introduction of the confirmation service, the Bar Mitzvah ceremony was not tampered with for fear of arousing still more violent opposition than the institution of the confirmation aroused. The two ceremonies existed on in the same congregation side by side—the one to satisfy the conservative spirit, the other to impress the children with the

meaning of the religion; the one belongs to the sixteenth, the other to the nineteenth century. The Bar Mitzvah ceremony has lived its day, and so we should declare it. In Palestine the thirteenth year, or rather the signs of puberty, marked the age of majority; with us it is the twenty-first year. In the Germany of the fourteenth century, the time and place of the institution of the בר מצוה the fulfillment of the מצות in all their ramifications designated and marked the Jew, therefore the term בר מצוה son of the commandment, the doer, the actor, not בר אמונה the believer. In our time these מצות have been discarded as non-essential, for they are not of that class which Ibn Ezra designates as "commandments which are fundamental principles, not dependent on time nor any other accident, but implanted in the heart, rejoicing the heart;" therefore they are no longer fulfilled by the vast majority. The Bar Mitzvah emphasizes the old and false notion of the autonomy of the males in religious matters; with us the girls are of as much importance To keep up the Bar Mitzvah is to countenance an empty form without meaning for us or our time; the confirmation answers all purposes. If there is anything whatever in the Bar Mitzvah worth preserving, such as the recital of the Bracha, as symbolical of the importance of the Torah for Judaism, it can be made a part of the confirmation. The principle of the Bar Mitzvah, if it has any principle, which I do not believe, has no weight now; the ceremony is one of the many religious forms which have lived their day and should disappear entirely from the service of the congregations. As formerly every boy was necessitated to participate in the Bar Mitzvah ceremony, so now should every boy and girl in the congregation be confirmed, inasmuch as confirmation has taken the place of Bar Mitzvah.

AGE OF CONFIRMANTS.

The discussion of the Bar Mitzvah question naturally leads to a consideration of the age at which children should be confirmed. The custom now almost universal is to confirm the boys and girls at the age of thirteen, or on the Shebuoth nearest to the thirteenth anniversary of their birth. This is a remnant of the Bar Mitzvah institution. As the Bar Mitzvah ceremony at the time it was introduced was designed to take place when the boy reached thirteen, because in Palestine that age was the age of puberty, and therefore considered the beginning of manhood, so the age of confirmation was set at thirteen. During all these years this custom has held its own, but every rabbi who has

had confirmation classes under his instruction has felt that the age of thirteen, or even fourteen, is entirely too early for a proper comprehension of the lessons taught and also that however deep may be the impression made on the day of confirmation the children are not old enough for a proper appreciation of the meaning and importance of the ceremony. We should have not an age test but a capability test. In the first place, no child that has not taken the full course of the Sabbath-school instruction should be permitted to enter the confirmation class. Then at least there is a fair foundation for the instruction. A promiscuous class, composed of children of the first, second, third, fourth and fifth years of the school, all of whom join the class simply because they have attained the age prescribed, presents great difficulties to the teacher, which would not exist if all the children stood on one level. Thirteen years might be made the minimum if so desired, but there is no reason why we should not confirm children at fifteen, sixteen or even older; in truth, the older the better, for then there is more possibility of a proper comprehension of the instruction. Nor may we forget that to set an absolute age is folly; some children at thirteen are as capable and more so than others at sixteen. It appears to me that to have some rule of action and to make the work of the teacher as telling and as fruitful of results as possible it should be determined that in every congregation in which the ceremony of confirmation is in vogue the age of those to be confirmed shall be regulated merely by the ability of the children as it seems fitting to the rabbi, and that a completion of the Sabbath-school instruction shall be a condition imposed upon all ere they become members of the confirmation class.

INSTRUCTION OF CONFIRMANTS—CATECHISMS.

What shall be taught in the confirmation classes? Truly an important and a most difficult question. The answer the most natural and the first to occur to every one is, the principles of Judaism. Here we at once strike upon a rock; what are the principles of Judaism? From the days that Maimonides formulated his thirteen Ani Maamins and Albo expounded the three principles which he named the Ikkarim, there has been a changing and a shifting in the minds of the various teachers as to what the fundamental principles are; there is but one upon which all have and are agreed, and that is the unity of God; in regard to every other there has been a change of standpoints. Even the doctrine of the immortality of the

soul, which to-day is, I may say, universally accepted as one of the chief teachings of the religion, was denied by a very important sect in early days, and yet none on that account would deny the name Jew to the Sadducees. The teaching of תורה מן שמים of revelation itself, which Albo posited as one of the three fundamental principles, is explained in so many different ways, by each one according to his own light, that we have the opinions ranging from a firm belief in the actual revelation on Mt. Sinai. the descent of God unto the mount and the giving of the commandments unto Moses, to the thought that revelation, inspiration and genius are all of one and the same character, not dependent on time or place, a mysterious working upon the minds of the most gifted of the human race. And yet in spite of this diversity of opinion all these are included in the category of Jews. It is plain that the instruction of the class will depend upon the individuality of the teacher. We have no hard-bound system of belief, no smaller and no greater catechism, no confession by which we must swear in order to belong to the faith. The doctrines which are accepted now by all, ultra-orthodox and radical reform, are the existence and unity of God, the belief in the higher vocation of man, the immortality of the soul and then the conviction of the special mission of Israel to live on and continue the exponent and teacher of monotheism among the peoples of the world. To these are to be added all those teachings of morality, of duties to God, to man. to self, to the lower creation, which of necessity adhere to Judaism, the ethical monotheism. How shall these matters be taught? The system of catechistic teaching has been and is still in vogue. From the publication of Herz Homburg's בן ציון in 1812 to the issue of the last catechism of some American pulpit occupant, the number of catechisms has been legion, some like those of Herxheimer, Stein, Einhorn, Philippson, Hirsh, and others being valuable contributions to religious literature; others not to be mentioned should never have been given to the world, being but a dry formulary of questions and answers. Since Judaism is happily not a dogmatic system and it permits the greatest latitude, it will be seen at once that a uniform catechism is well nigh an impossibility, in truth, is not to be desired. Each rabbi will teach the young people under his guidance according to his ability and conscience. However, some drawn-up statement in the form of a small treatise, containing explanations of the great and important doctrines and teachings and having the approval of a representative Jewish body, would be

welcome to many teachers and preachers who require a guide. It might be that in small localities in which there is no established congregation there are young people who would wish to learn what are the bases of Jewish belief, and then to be confirmed; to them also such a treatise would be very welcome. This would have to be a concise, brief statement; the bulky catechisms of an earlier day are a troubling of the spirit; Judaism is the least dogmatic of religions, its theology the least cumbersome, and, therefore, a small treatise of this kind will best appeal to the reason and the heart of man.

THE PUBLIC SERVICES, OR AGENDA FOR CONFIRMATION.

The first and foremost object of the public confirmation service is to make it as impressive as possible, in order that it may have a deep and lasting effect upon the children, and the chief thing to be avoided is the appearance of any theatrical feature or any sensational pomp This must be left in great part to the good sense of the rabbi, but there are several points in this public service which will bear discussion, and concerning which we may come to some definite conclusion. Shall any promises be exacted of the children? Shall they be made to swear that they will keep this or believe that? It has been claimed that the service will leave a most lasting im pression if these promises are exacted, and that, being given at a time of life when the mind and heart are pure, they are apt to deeply affect the character; "the vow is proper, because no person will readily break a promise given at the most solemn moment of life, in a place in which feelings of the greatest reverence are called forth." However this may be, I do not consider it proper to demand these promises from the children, for two reasons. In the first place, at the age at which we now confirm, these children are not responsible; they make the promises because they are told to do so without any thought of the almost inexpressible weight and significance of the words they speak. If the time will come that we will confirm our youth at an age at which they are responsible and can carefully weigh the full intent and meaning of what they vow and promise, this difficulty will be overcome. In the second place we know that in well nigh every instance in which these promises have been made they have in one or another particular been broken for the very reason, as stated above, that the children did not comprehend nor consider the meaning and import of the words. Why, then, being almost certain that the promises one and all will not be kept, shall we make these young persons a party to an act of per-

jury? This is a strong word, I know, but does it not express the facts of the case? Judaism wants no blind obedience, no unthinking worship on the part of its children. It is pre-eminently a religion appealing to the reason and intelligence of man, and it can not but condemn any act in which the reason has not full sway, as it has not in the undeveloped mind of the child at the time of confirmation. It, therefore, seems to me that any direct questioning and answering of the character—Will you keep this command? I will. Do you believe this doctrine? I do—should be eliminated from the confirmation ceremony; a confession or declaration of faith should be substituted for it in which the chief articles of Judaism are contained and which the class or one member of the class may recite as a public expression of what Judaism is.

Shall there be an examination of what the confirmants have studied and learned during the year on the day of confirmation in the synagogue? Most ministers begin the special instruction of their confirmation classes in November or December and labor with them for six or seven months. The examination of the class in the work done usually takes place in the school-rooms of the congregation on the Sunday before Shebuoth, and the parents and members of the congregation are invited to be present, but you will agree with me that it is only a small minority that takes interest enough to attend. The questions and answers are gone through with, no impression is left upon the children, and no good, so far as I can see, is done by the examination. Shall the examination take place in the synagogue? At once the objection will arise that it is too dry and tedious, that it is not interesting to the great mass of people assembled, that it sounds like a cut-and-dried affair. This last-mentioned objection is not worthy of consideration if the minister has the consciousness that the children have done well and know the work (and no conscientious minister will confirm children unless he has that knowledge). Considering the fact that the instruction has continued for so long a time and that confirmation day is the proper occasion on which the children shall show that they understand and know the principles of religion and morality, a short examination—or, if you will, questioning—is eminently proper and in place. Not that there shall be a full examination of all the work done; that would take too long and be too tedious; but a questioning to consume, let us say, about fifteen minutes. The most important points can be touched upon in this period of time, and it will be not only effective for the confirmants but also bene-

ficial for the congregation, to the most of whom it will do no harm to hear what are the principles of Judaism, nor will so short a time devoted to this purpose prove tedious or wearisome.

As for the service itself, it would be well if some form could be decided upon. In glancing over the accounts of the confirmation services in different parts of the country, I find that well-nigh every rabbi has his מנהג. The exercises should consist of a few prayers, a declaration of faith, a short examination as suggested above; the recital of the Ten Commandments from the Torah in Hebrew, as symbolical of the historical significance of the day, and the response in English, the blessing by the rabbi and parents, and beautiful and appropriate music. All set programmes, speeches, addresses to teachers and others are very much out of place; they give the whole ceremony the character of a performance, which is to be avoided. At my last confirmation I introduced a feature which added greatly to the beauty and impressiveness of the ceremony, viz: the singing of hymns by the confirmants themselves—hymns appropriate in words and in music to the time, place and occasion. The hymns written for the purpose were as follows:

OPENING HYMN.

Here, O God, we children stand,
At Thy shrine our place to take.
Holy, holy is this day!
Bless us for Thy great name's sake;
Now to Thee our prayers ascend,
To our words in love attend.
Hear, O Father, hear our pray'r,
From our hearts it speaks to Thee.
Teach us, God, our duties all;
Thee to seek, Thy love to see—
True to be and good and kind,
Pure in heart and soul and mind. Amen.

CLOSING HYMN.

Thy presence have we sought, O God,
The sacred sounds of truth we've heard;
Whate'er our life, whate'er our lot,
A guide to us shall be Thy Word.
To Thee arise our words of praise,
Our words attun'd to grateful song;
Assist us, Thou, that all our days,
Be pure as this, free from all wrong.
We leave this spot, Thy sacred shrine,
Our trust in Thee so firm and strong;
Oh, ever may Thy love divine
Our footsteps guide our whole life long. Amen.

The effect of the singing of these hymns by the fresh, young, clear and fervent voices upon the congregation was electrical, and was quite the most impressive feature of a very impressive service.

As a ritual for confirmation I would, therefore, suggest something like the following:

1. Opening hymn by the class.
2. Opening prayer.
3. Music by choir.
4. Floral prayer, according to the suggestion made by Dr. Wise in his hymn-book, that the children deposit their flowers on the pulpit; a very graceful and beautiful act symbolical of the season of the year and the flower-like lives of the confirmants.
5. Recital of Ten Commandments from the Torah, with appropriate prayers before and after.
6. Music by choir.
7. A few words by one of the confirmants telling of the significance of the day.
8. Music.
9. Sermon by rabbi to congregation, to close with admonitory address to children.
10. Music.
11. Short examination, to conclude with declaration of faith.
12. Blessing of children by rabbi.
13. Closing hymn, sung by class.
14. Concluding prayer.
15. Dismissal of children to parents.
16. Music.

I have not written out any of the prayers suggested, as this should perhaps best be left to a committee appointed for the purpose. We should determine upon some common form of confirmation, which may be a guide to all who look to us for help in such matters.

ABUSES OF CONFIRMATION.

In concluding this paper I wish to say a few words on a subject which has tended greatly to bring the ceremony of confirmation into discredit, and has furnished the only foothold of support to those who oppose this beautiful service. As the Bar Mitzvah ceremony lost all its influence as a soul-stirring and soul-lifting service because it became dry and unmeaning, so the confirmation is threatened with a danger, not of the same kind, it is true, but greater, the danger of pomp, show, display and ostentation. This has been growing apace, and it is time that we cry halt! Or else all the good

to be gained by the service will be lost in the showy and sensational features now connected therewith. And first we must speak of the ceremony as conducted in the synagogue itself. Every attempt at theatrical display, such as studied effects on the part of the children, through which the acting is plainly apparent, printed programmes, as though the service were an entertainment or an exhibition, should be carefully avoided. If we desire to carry reforms into the doings of our people we must begin there, where we have the greatest influence. The ceremony must be fervent, impressive, sublime. The participants must be impressed not with the all-importance of the outer appearances, the attitudes, the voice, the gesture, as is now so frequently the case, but the rabbi must use his every effort to work upon the soul, the inner feeling of the confirmants, and if he be spiritually-minded he can readily do so, and then the outer accompaniments will adjust themselves. They will be natural, responsive to the inner mood, and that is what must be striven for. We must aim to make the confirmation a purely religious ceremony, affecting mind and heart of all, not a brilliant entertainment, with twenty or thirty or more children as performers and the congregation as an audience, admiring or criticising as the case may be. There must be a flowing of the religious current to and fro, so working that the mind of the looker-on may be occupied not with the thought of the appearance or the beauty, or the success or the failure, but only with the thought of the religious significance of it all. Everything outer shall so blend with the spirit of the occasion that it shall all be lost in the higher significance of the day and the occasion. If we begin here in the synagogue and divest the ceremony of every element of pomp and show we can go further and devote ourselves to the correction of the abuses of confirmation which have crept into the homes of our people. If we can succeed in setting forth prominently and purely religious feature of confirmation, all these questions of extravagance in the dress of the girls, of the vulgar display of presents in every home on confirmation day, of grand and magnificent receptions, rivaling the splendor of wedding receptions, will adjust themselves. None too assiduously and too firmly can we set ourselves to the correction of these abuses of confirmation in the synagogue and in the homes. In these abuses which have grown up lies one of the greatest drawbacks to the efficacy and great good to be derived from the ceremony. Children's minds are occupied not so much with the meaning of the step they are to take as with the question of dress, appearance and presents. Parents'

thoughts are occupied not so much with the deep and awful significance of the confirmation of their children in the religion as with the consideration of having every external feature connected with the day as beautiful and brilliant as possible. Great reforms are necessary and possible here, and the sooner we, the ministers (for from us the movement must emanate), apply ourselves to them the better. Many, many good people in the congregations withhold their children from confirmation because of these very abuses. If rightly done there is no reason why every young person in the congregation should not be confirmed, in place of the comparatively small number who now pass through the ceremony. With determined effort these abuses can be overcome, if not in one then in five or ten or twenty years; let us keep at it, let us work at it, and success will surely crown our endeavors. Confirmation in the synagogue will become what it should be and what it was meant to be when introduced by those great religious teachers who were so eminently in touch with the religious needs of the people in our century, a plain, simple, impressive, soul-inspiring ceremony, uplifting the spirits of those confirmed, of the parents and of the worshipers on the wings of devotion, bringing them all nearer and nigher into the spirit of truth and love, the God of Israel and of mankind.

[Appendix C.]

HOW TO TEACH BIBLICAL HISTORY IN OUR SABBATH-SCHOOLS.

By Rabbi Dr. E. Schreiber, Little Rock, Ark.

Since times immemorial theology claimed to be in *possession* of the truth, and looked down upon philosophy, which claimed to *seek* the truth. Hence belief and science are still opposing forces, at least in the Church. Judaism teaches דע את ה אלהיך "know, comprehend the Eternal thy God." There is nothing like a "creed" in Judaism, which might stand in the way of the searcher after truth. And yet it can not be denied that the progress of the so-called "science of religion" has exercised so far very little influence upon the instruction in our religious schools.

We notice with pleasure how the results of advanced science benefit the instruction of the young in the public schools. Yet in the religious schools even of our reform congregations the most antiquated errors are still taught as truths.

It would lead me too far to pursue this question in all its ramifications. I omit, therefore, the dogmatic part of our religious instruction, and will limit my remarks to *biblical history*.

Shall the teacher of the higher classes instruct the pupils in accord with the antiquated ideas on inspiration, miracles, divine authority of the Bible, revelation, thus ignoring or even defying the results of history, geology, biology and natural philosophy? Or shall he try to harmonize science and religion? And how shall he do it?

This is one of *the* burning questions. Shall the children learn in the school things which their parents do not believe? Is this in harmony with ethics?

I know there are those who will be ready with the trite answer: Let the children learn to believe as much as you want; later on they will form their own judgment, and throw overboard whatever does not suit them. But, alas, experience shows that this dangerous principle, so generally practiced, is the cause why so many

young men and women join the ranks of the atheists and infidels. To be sure, they throw overboard not only superstition and error, but on account of a false method of instruction they throw overboard everything; the shell and the kernel, the form and the essence. And can better things be expected if the germ of doubt and skepticism is thus systematically planted into the soul of the child? Ask our agnostics whether such teaching was not at the root of their unbelief. Here is a reform necessary, and soon, or the "too late" will stare us in the face.

Take, for instance, the *story of creation.* The *orthodox* conception looks at it in the light of a *noli me tangere* The scientific standpoint sees in it the childish idea of the Hebrew people on the origin of all things.

Now suppose the biblical cosmogony is incompatible with the doctrines of astronomy, botany, zoology, geology, physique and anthropology! What of it? Let the teacher inform his pupils that the poet of the Bible had produced a beautiful legend, far superior to the cosmogonies of other nations of antiquity. The Bible loses nothing in its grandeur and sublimity by such methods. It gains rather.

It is needless to know the spot where the *paradise* of humanity has been situated or where the tree of knowledge was planted, yet we can teach the pupil how to admire the sublime spirit of the beautiful myth concerning the primitive man.

What has it to do with religion, whether the pupil is taught that people in those days had lived 900 or more years?

The charming legend of the great "flood," justly called the "migrating legend of all times and ages," need not be taught as history, but the teacher may call attention to the fact that the religious spirit of the Hebrews has changed this legend most cleverly by representing it as a punishment of a sinful humanity, and not of a mere nation.

In accord with modern geology, the teacher will not tell his advanced pupils that Noah found room in his ark for a pair of every species of animals.

Prof. *Noeldecke*, the great orientalist, says in the "Zeitschrift der Deutsch-Morgenlaendischen Gesellschaft" (Vol. XVII., p. 707) that "no nation and no great tribe had ever known their patriarch." This may be considered an axiom of modern historical criticism. Shall then the teacher of Biblical history be bound to regard the three patriarchs as *historical* persons? Does not the Bible gain,

when these three patriarchs whose lives in the *literal* sense of the word are open to strong criticism, are shown as types of the *national* individuality, whether historical or not?

Shall the so-called "Akeda" still be taught in the old way, which represents God as a tempter, who induces a father to deaden every paternal feeling, who demands human sacrifice? Let the teacher rather convey the idea that this chapter forms a strong *protest* against human sacrifice, and shows how it was substituted on the very threshold of our history by animal sacrifice; as it was impossible to abolish in those days sacrifice in every form. Here the passages of the prophets Jeremiah, Micah, Hosea, Isaiah, Psalms, etc., on the subject of sacrifice might be profitably quoted. The struggle of Jacob with the angel during the night might well be explained as a prototype of the people of Israel throughout their checkered history.

In the same way it is not necessary to teach that all the so-called Mosaic laws were given by Moses, for on the one hand we know full well that this was not the case. I only mention as *unum pro multis* the prohibited degrees of marriage, which were necessarily the outcome of a development of centuries—and on the other a good law loses nothing of its intrinsic value, no matter who is its author. Aside from this everything ought to be omitted which in the least might be repugnant to the moral character of the pupil, and we know there are things which, though compatible with oriental conceptions of Biblical times, must be repulsive to the children of the period. In conclusion, no teacher should attempt to excuse or palliate sins and wrongs committed by Biblical characters, as such a course would blunt the moral sentiment of the child.

I would, therefore, propose the following resolution:

Resolved, That the Conference of American Rabbis appoint a committee to publish a Biblical history on the basis of biblical science.

[APPENDIX D.]

THE RELATION OF THE RABBI TO THE CONGREGATION.

By Dr. Aaron Hahn.

The Jews that returned from the Babylonian capitivity had in view the restoration of the Hebrew theocratic commonwealth in its pristine glory. They did not expect to find very favorable conditions among the Jewish population of Palestine, but even in the little they expected they were disappointed. The Jewish remnants of Canaan were totally destitute of all national ideas. Everything that was to make of them a theocratic commonwealth and that might have been indicative of a prosperous future was lacking. Things were in a very deplorable state and the impressions it made upon the returning patriots must have been gloomy and painful. But those new-comers from Babylon brought along with them treasures of faith, of energy, of devotedness, of patience and prudence; and they felt sure that if they apply them the rejuvenation of the nation the restoration of Judaism must and will be a success.

To revive the faith of the forefathers, to acquaint old and young with the history of their past, to cultivate by means of historical circumstances the national virtues, to plant anew religious institutions, to interest them in the Jewish mission and to make them proud of themselves was the great work and task that the new-comers had before them. Ezra, the most prominent scholar among them, was quick to see that the basis of their operations and the *conditio sine qua non* was the study of the Mosaic Law. His successors were of the same opinion and held that not only Judaism has to be established upon the basis of the Law (Torah), the Devotion (Abodah) and Benevolence (Geneituth Chasodim) but they also pronounced it the duty of every learned Israelite to "train up a great many disciples." This rule, "train up a great many disciples" gave rise to rabbinism in its peculiar development. The study of the Law, or to use the Talmudical term, "the four cubits of the Halacha," the rabbis considered the most proper sphere of their usefulness; and in

their eyes there was nothing so meritorious and praiseworthy as life's devotion to it. All the political, commercial and social movements and achievements did not in their opinion compare in importance with the meritoriousness of their devotion to the study of the Law, which was to them "the rule of life." Upon the study of the Law they concentrated their ambition, their energy and all their faculties; and by means of dialectical rules, precedents, historical events, claims of the age and several other factors they enlarged the Mosaic Law into a net that was to compass all the steps, doings and dealings, *minutiæ*, during the whole life of an Israelite. These methods of the rabbis were not merely admired for the sagacity and ingenuity they displayed, but they also made the impression of being a natural way of unfolding and developing the Mosaic Law. The results of these interpretation methods were called the "Oral Law" (Tora Schebeal Pe) in contradistinction to the "Written Law," the Mosaic dispensation (Tora Schbeksabh). Like the lamp that in the Mosaic tabernacle was to be hammered out of one piece of gold, so was the "Oral Law" hammered out of the "Written Law," by means of the hammer of Rabbinical dialectics.

THE TITLE OF RABBI.

For several centuries after Ezra the Scribe the spiritual guides in Israel did not bear any title at all. The first one that assumed it was Gamliel, the grandson of Hillel. Moses Maimonides thinks the great teachers in Israel before Gamliel did not care for a title, because their qualification was above any dispute.

The title of Rabbi means teacher, but its original meaning was "spiritual father." The Chaldaic translator renders the passages "father, father" (Kings ii. 2, 12) with "Rabbi, Rabbi, chariot of Israel." The presidents of Rabbinical colleges or prominent rabbis ordained their disciples, or other learned Israelites, by conferring upon them the title of Rabbi. Bar Kappara was refused that title by the patriarch Rabbi Jehuda, on account of his cynicism; and Samuel Jarchinai on account of his being practically more interested in astronomy than in theology. Instead of Rabbi their title was "chacham," "sage." From modesty the Jewish scholars called themselves "the disciples of the wise." It was the same motive that caused the Greek sages to assume the epithet, "friends of wisdom," philosophers.

Whatever there is said in the Talmud to the credit or discredit, merits or demerits of the "disciples of the wise," "Talmide chachamim" applies to the rabbis.

In the fourteenth century a new Rabbinical title came in vogue. In order to exclude unqualified men from the performance of Rabbinical functions, the Vienna Rabbi, Meir ben Baruch Halevy, commenced to agitate and to urge the course, that no Israelite be allowed to perform any Rabbinical function without being pronounced qualified for it by a prominent rabbi. This qualification was called Morenu—Our Teacher. The Jewish chronicler, Rabbi David Gans, thinks the title of Morenu was introduced in imitation of the mediæval university title of Doctor. It is the Jewish D. D. title.

THE CHARACTER OF THE MEDIÆVAL RABBI.

As to rights and duties Judaism made no distinction between the rabbi and the layman. Every Jew was to be qualified to be his own rabbi, and every rabbi was to be a model Jew. As a matter of course, circumstances and lack of talent made it impossible for every Jew to attain such a high qualification, but the rabbi was to be at all events a model Jew. The only distinction that Judaism made between the rabbi and the layman is expressed in the words of Moses Maimonides, reading: "Just as the sage is distinguished from the rest of the people by his wisdom and ideas so let him be also distinguished by the nature of his deeds, enjoyments and manners."

The rabbinical biographies from Hillel down to the present age show that excellent manly characters were never lacking in the rabbinical profession and that their example had a beneficial effect upon the faithfulness and piety of the Jews in all ages. There is no doubt that the rabbis had also their faults. Their besetting sin was jealousy. The patriarchs of Palestine and the presidents of the Babylonian colleges were not any more free from jealousy than the Pilpulists of Poland and the Cabbalists of Italy and Turkey. Taken all in all the rabbis as a class were in every generation as perfect as humanity could be expected to be.

It is nothing unusual to read or hear of rabbis judged in the same light as the priests and ministers of other denominations. Whenever a comparison is made between the rabbis and the priests of other creeds, it should not be left out of view that the rabbis never were a privileged class, that in the Middle Ages they were no salaried officers, and that they had to suffer most from the disabilities under which the Jews in general were laboring.

If the rabbis ever had a privilege then it was that of being the first to show by their conduct and example that none of the teachings and laws of Judaism was too idealistic or too hard for being

practiced in the every-day life. And only too often closely connected with that was another one—the martyrdom. Rabbi Akiba, Rabbi Meir, of Rothenburg, the Rabbi of York and a thousand others were privileged to seal the sincerity and honesty of their religious convictions with their life-blood.

THE RABBI'S SALARY.

The office of the rabbi in the Middle Ages was an honorary one. No salary, no emoluments, no prebendaries and no privileges were connected with it. Some of the rabbis of the Talmud would confer certain privileges on the rabbinical profession and would exempt them from certain taxes and concede them certain prerogatives and advantages in business. It seems that the Spanish Jews were not disinclined to approve of it, but the German and the Polish Jews contested it. (Rabbinical Responses of Jacob Weil, number 163; and Rabbi Moses Isserles, Yoreh Deah 243.)

The study of the Talmud, which is at present considered necessary and useful only for Jewish theologians, was considered in the Middle Ages indispensable to an educated Israelite; nay, it was in some centuries the exclusive learning the Jews could acquire. It was their principle not to study with the design to be called rabbi, but with the only object in view to master the Talmudical lore as the rule of life. Besides the study of the Talmud it was considered proper for every Israelite to acquire also the knowledge of a trade or business by which he could earn a livelihood independently. Those learned Israelites who excelled in Talmudical knowledge and in piety were called upon to fill the office of the rabbi whenever it was vacant. The rabbis in office were not ashamed to work at a trade or to attend a business for a certain number of hours daily to make a living by it. Working at trades and engaged in business were, as it can be read in the Talmud, some of the greatest rabbis. Hillel was a wood-chopper; Rabbi Josuah was a smith; Rabbi Jochanan was a shoemaker; Rabbi Josi was a tanner; Rabbi Hunna was a water-drawer; Rabbi Schesebeth was a lumber-carrier.

Rabbis in office who had no trade and who were unable to do any business were allowed to accept presents from their friends among members, but no fixed salary from the congregation for their services. It was considered wrong for a rabbi to accept even fees for the performance of the marriage ceremony, or for the act of divorcing married people. (Pessakim 128 by Israel Isserleim.)

It was first in the sixteenth century that Rabbi Simon Duran Zemach gave his rabbinical decision that a rabbi may receive a

fixed remuneration for the time he spends in the rabbinical functions. It is the time for which he may be paid, but not for the ability or trouble of teaching. Ever since it has become the general custom to give the rabbi a fixed salary. (Rabbinical Responses, Jashbaz, numbers 142, 147.)

THE RABBI'S POWER.

The influence of the mediæval rabbi was so great that the mediæval Judaism may be rightly called the rabbinical. Nevertheless it was only a moral influence the rabbis exercised. They had not any more power than was conceded them by their constituency and gained for them by their piety.

The rabbis have been often condemned for the tyranny, it is claimed, they have exercised by means of the excommunication, Cherem.

The excommunication was by no means a compulsory method applied exclusively for religious purposes; it was rather a necessary evil for the preservation of the Jewish community under the miserable circumstances into which it was forced by political misgovernment. The Jews in the mediæval society formed "a state within the state." They had to manage their communal affairs, and were responsible to the government for the taxes inflicted upon them, but received no backing from the government to enforce their laws and regulations. How in the world could a community exist without any means and ways of forcing the wayward and disobedient into submission? They had to resort to something that replaced the power which governments consider indispensable to enforce laws; and that something was the excommunication.

There is no doubt that the power of excommunication was at times abused; but what in the world was not abused?

To prevent as much as possible the abuse of the excommunication a Rabbinical Synod, held 1273, in Germany, decreed that no rabbi shall dare to excommunicate anybody without the consent of the congregation; nor shall any congregation dare to anathematize without the approval of the rabbi. (Rabbinical Responses of H. Mair, Rotenburg.)

Later on a great many other restrictions were agreed upon to limit the right of excommunication. That powerful weapon was very dangerous, and had to be kept within the limits of the use of a necessary and indispensable evil. The rabbi was not allowed to hurl the thunderbolts of excommunication at the heads of dissenters or

antagonists at pleasure, as that was possible for the bishops and the Pope.

THE OFFICE OF THE RABBI.

The great changes and reforms which Judaism experienced in our century had such an effect upon the office of the rabbi that a great many do not hesitate to repeat the Talmudical question, "of what use are the rabbis?" "Has the rabbi any mission at present?" "Is the rabbi as a special officer necessary at all?" "Is the rabbi not more a kind of luxury than anything else?"

It is not always and necessarily hatred or antagonism or financial economy in the congregations that puts such questions. They are raised by the following considerations:

The priests in Israel's antiquity was indispensably necessary because the sacerdotal functions in the main had to be performed by him, the descendant of the priestly family of Aaron, the first high priest. Nobody but the priest was considered fit to prepare the offering at the altar. Nobody but the priest was expected to atone effectually for the Jewish community. Noboby but the priest was privileged to pronounce the holy name of God on the day of atonement, and to pronounce the priestly blessing, and nobody but a priest was called upon to decide what of the unclean man, his house or garment. But Judaism has outgrown and discarded all these views and beliefs and considers any qualified Israelite fit for any religious functions within its pale.

With the priest in the Catholic Church it is not different from what it used to be with the Jewish priest. The Catholic priest is an indispensable officer of the church. It is only the priest that can forgive sins; that is the mediator between God and his communicants; that has to perform all religious functions; and that holds the keys of heaven in his hands so as to admit whom he thinks worthy. But the Jews do not believe in these dogmas, but consider every man the mediator between God and himself.

The mediæval rabbi was a necessity in the Jewish community. The religious life of the Jew was an endless chain of ceremonial, traditional and ritual observances. In every moment and on every occasion some question might have occurred that worried or vexed the mind and scrupled the conscience of the orthodox Israelites. Who was to answer such questions? A Jew as great a metaphysician as Aristotle or Kant, or as great a naturalist as Humboldt and Darwin, if he had not been familiar with the Talmudical lore, was considered an Am Haarez, unfit for being consulted in the religious

affairs of the orthodox Israelite. It was only the rabbi, the acknowledged authority in the Talmudical lore, that could give satisfaction. But at present how very seldom, if ever, is a rabbi called upon to decide and answer a religious question in the light of the Talmudical and rabbinical law. The Talmud and the rabbinical code Schulchan Aruch based upon it, are considered by the modern rabbi and Israelites nothing else but works of historical and antiquarian importance; works that have no binding authority whatever.

Under such circumstances a great many think the modern rabbi is dispensable to the cause of Judaism and has no office whatsoever to fulfill.

It is true the activity, the qualification, the function and the duties of the modern rabbi differ a great deal from what they used to be, but it would be the greatest mistake in the world to think that the modern rabbi is dispensable, or even that his office is easier or his vocation of less importance.

The aim of all aims of the modern rabbi is the preservation, the development and progress of Judaism, and the revival and rejuvenation of the religious sense of all who consider him their guide. For that purpose it is not necessary that the rabbi shall study day and night exclusively the Talmud, but it is absolutely necessary that he shall study the Talmud of Jewish literature in its connection with the history and literature of the human race. It is not for the modern rabbi to watch that all minutiae of the Schulchan Aruch code be observed but he has to watch that the currents of materialism, utilitarianism and indifferentism be checked and stopped in the Jewish fold.

It is not necessary for the modern rabbi to be equipped with the apparatus of the Talmudical lore to such an extent as it was formerly the case to enable to decide every casuistic question (Schaala); but there are other questions (Schaaloth) urged upon him. He must be always prepared to have an answer to the questions (Schaaloth) of skepticism and metaphysics, astronomy and geology, anthropology and ethics, sociology and history, of education and pedagogy, of the conflict between science and religion. Such are the Schaaloth Utschuboth of the modern rabbi.

It is necessary that the modern rabbi shall study the old Hebrew commentaries of the Bible, but the main stress he must lay upon the study of the greatest, finest and best of all commentaries on the Bible—life, history and the drift and tendency of the age. It is not

for the modern rabbi to teach the young men to be able to pursue independently the study of the Talmud, as this was self-understood in former ages; but it is expected of him that he be a pedagogue and an educator of the younger generation. He has to acquaint and to perfect himself in pedagogy so that he and the pupils and parents shall think with pleasure and pride of the religious school.

The rabbi is expected to devote his time, himself and his life to the prophetical mission of instructing, cheering up, comforting and consoling all depressed and afflicted. Such is the office, the qualification, the task and the work of the modern rabbi. Let every competent man judge whether the activities of the modern rabbi are not fixed upon much greater things, and higher aims and ends than they ever were?

THE CHARACTER OF THE RABBI.

Character is a great power in the vocation and life of every man, but especially so in the vocation and life of a minister. Let a minister be a genius; let him be endowed with the greatest eloquence; let him be in possession of the most remarkable knowledge; let him be distinguished by the keenest intellect; let him above all be captivating in his conversation; but if he has no manly character he may be admired, but his usefulness in the fraternity is gone and in the congregation it can be of some account only under extraordinary circumstances.

Again, let a minister have less talent and less knowledge, but let his character have the virtues of truthfulness, of justice, of honesty, of integrity and of dutifulness in words and works, in public and private relations, and he will not only gain the respect and sway the hearts of the congregation, but he will also reflect credit upon the fraternity.

If there is one thing which a minister should consider preferable in the elements of his qualification and vocation, it is a character that can stand public examination and scrutiny; a character upon which everybody can look as upon a model; a character in whom everybody can put confidence.

Men without principle and character are always contemptible no matter to what profession, trade, business or vocation they belong, but the most contemptible of all is a minister void of principle, character and manhood. It is true, a minister is a man that has passions, propensities, temptations, desires and appetites the same way as other people, and he must have them otherwise he could not be in sympathy with the people he is to teach and to preach to; but

a minister must in virtue of his profession learn to be a greater master in the art of self-control than others are. The minister must consider himself the conscience of the congregation; and the conscience should always be guiltless and clean. A minister must disabuse himself of the idea that the mere office makes a man reverential. The principle of the Talmud, "Not the place reflects credit upon man but man ought upon the place," is always to be acted upon by the rabbi. What can the congregation do for the development of a minister's character?

Well would it be for the minister in general if every congregation would ask much of the character of the minister, if every congregation would ask of the minister to be a model and as perfect as humanity can be. The misfortune is that a great many congregations do not know themselves what they want. The most contradictory and unreasonable demands are made of the minister.

The one member wants him to act as a minister outside as well as in the pulpit; another one again wants him to be a minister in the pulpit, but outside the pulpit let him be a man of the world; that goes with some for being a worldly man. The one member wants the minister to be a man of strong conviction, an outspoken man, a man of ideas of his own; another one again thinks the minister should be a man of accommodation, of adaptation and of conventionality, or rather as Dr. Geiger put it, "Der Rabbiner muss heucheln." The one member wants the rabbi to be an idealist; another one again can not see why a rabbi should not be a practical business man, or rather, to speak plainly, why his office should not be considered a matter of bread and butter. The one member would like to see the minister criticising, censuring and denouncing all year round other people's habits, manners, views and ways; another again thinks a rabbi should be like an idol, that has eyes and does not see; has ears and does not hear; has a mouth and does not speak.

Now, what shall the poor minister do? My advice is to let him be a man of independence. Let him not listen so much to the preaching of every member, but let him act as he preaches to others. Let him come up to the standard of his own preaching. Let him consider it the greatest compliment when told, "Thou preachest nicely and also nicely dost thou observe it."

But suppose a minister can not come up exactly to the standard of his preaching. Well, then, let him at least try it, and try it with might and main.

THE RABBI AND THE PULPIT.

The general complaints in American Reformed Judaism are that the temple services are not so well attended as they should be; that there are, even among those who are very zealous for the preservation of Judaism, a great many who except on the great holidays are very seldom seen in the temple, and that even in such congregations where the attendance is large, it is not always the merit of the pulpit, or of the rabbi, that it is so; but that it is because such congregations have a certain element that would be just as regular even if no preaching at all would take place; or because the community is so large that it is no wonder when one or two temples are well attended.

What is the cause of this evil? Why are the Reform temples not better attended? Is it because people can not get away well on Saturday from business; or is perhaps the religious sentiment on the decrease; or is it perhaps that the ministers do not do their duty; or is it attributable perhaps to the indifference toward religion that characterizes our age so generally?

There is no doubt that every one of these causes has in the one or the other congregation more or less to do with the unsatisfactory attendance of the service; but whatever the causes of it are, one cause it should not be—the fault of the minister.

It is not always in the power of the preacher to draw large houses. The most gifted and eloquent minister can not force those to attend who can not come, nor those who would not come, nor those who do not care for coming; but there is one thing which every minister can do, ought to do and should do. He can make his pulpit respected; so respected that it should generally be admitted that every sermon is an effort worth while to be heard, and heard with profit.

Usually the ministers blame the members for the poor attendance they have, but the attendance might be much better in a great many congregations if the members had less reason to complain that the topics the minister selects are trivial, trite, commonplace; that the sermons are full of phrases, flowery language, poetical quotations, gush of eloquence but without the power, conviction, sense, analysis and ideas; that the sermons treat of dogmas and antiquated things in which people do not believe any more; and that topics of time are entirely neglected. No minister should ignore such criticism whether made in good or in bad faith. There is no doubt that some ministers sin much against the pulpit and discredit it.

It is very wrong for a minister not to prepare himself carefully

for a sermon. It is true there are certain topics and texts which do not require much preparation, but these are only exceptional cases. A good sermon requires study, thought and preparation. Occasionally a man may "speak well" ex-tempore, but a man that makes ex-tempore preaching his rule will never be a good, interesting original preacher. The biographies of the greatest preachers show that their best sermons took them weeks and months of preparation.

It is very wrong for a minister to become personal and abusive in the pulpit. The pulpit is dedicated to religious instruction, to religious education but not to personal spite, grudges, revenge, rancor or spleen.

It is wrong for a minister to drag private or domestic affairs of other people into the pulpit for mere exhortation's sake. The art of exhortation and criticism in the pulpit requires a special study. The object of criticism and exhortation in the pulpit is not to exasperate and to obdurate those who have sinned and done wrong; it is rather to assist them to abandon the paths of trespass, to make them feel their iniquity, to correct their views, to induce them to improve their conduct, to warn them and others against repetition of evil doing. The conscientious preacher will do all this in the tone, mood and air of a good father who reproves a beloved son.

It is very wrong for a rabbi to preach for the delectation of one class at the expense of the other one.

It is wrong for a rabbi to think on account of a few people it is not worth while to take the trouble of preparing or delivering a good sermon. A rabbi must know that great is the value of even one human soul and that one soul may exercise the great influence upon others for generations to come.

But the greatest of all wrongs in a rabbi is to preach by means of a bad example. The Midrash teaches the wisdom of a sage that sets a bad example is unsavory, and the Talmud recommends to every preacher first to examine his own conduct and free himself of the faults he criticises in others. "First set yourself right and then do so to others."

THE RABBI AND SCIENCE.

The question whether a rabbi may make use of scientific researches in his teaching and preaching seems to be superfluous when one takes into consideration that there is no Reform congregation in America that would have any use for a rabbi who has not acquired a higher education; that it was actually decided by great numbers

of faithful Israelites and great rabbis in the Middle Ages who devoted much attention to the study of the Greek and Arabic philosophy; and that it was answered in the affirmative when in 1843, the Breslau congregation propounded this question to some of the most prominent rabbis of Germany.

Despite all these considerations that question is pertinent because the difference between the results of the Aristotelian philosophy that was studied in the Middle Ages and those of modern scientific researches are too great. We live in an age of inductive methods and of the belief in evolution; in an age of criticism; in an era that was inaugurated by Copernicus, Galileo Galilei, Bacon, Spinoza, Kant, Lyel, Darwin and other great scientists and metaphysicians which have advanced views that were unknown in the Middle Ages and that absolutely can not become reconciled with traditional teachings of the past.

Under such circumstances how easy it is to shock the ears even of such people, who, to a certain extent are in favor of scientific researches. For the sake of truth, which is divine and the highest authority and "God's seal," it is pertinent for a rabbi to pursue scientific researches. Judaism needs not fear science. It will lose nothing by scientific researches; and what it might lose is not worth while preserving. The Jewish conception of God; the Jewish ideas about man and his destination; the Jewish views and hopes as to the future of the human race; and the Jewish principles of ethics and humanity are such that they not only can not be controverted and disproved by science, but they must gain by being illustrated by the facts of scientific researches, observations and experiments.

People that are in favor of the pursuance of scientific researches but oppose or persecute the rabbi because he goes "too far in science," act just as foolishly as Ahab did when he asked the prophet to tell him "nothing but the truth in the name of God," but no sooner did the prophet tell the truth than the king abused and imprisoned him.

However, should a rabbi see that the congregation is not yet ripe for being led also in the light of scientific researches and results he must not think of deceiving and deluding the people in his church by erroneous theories, foolish stories, falsehoods and absurd traditions. Should topics of comparative studies and scientific researches offend the feeling or unsettle hopelessly their mind then let the rabbi rather select from the endless range of human knowledge and life such topics as enlighten, refine, comfort and console without

giving offense. The rabbi must always bear in mind that the chief end of the pulpit is to impart religious instruction, to make people repent their wrong doings and to induce them to perform good and noble deeds.

There is a maxim that "one must not say all he knows but one must know all he says." It is a great mistake for a rabbi to teach and to advance for true right away every new idea or theory he hears or reads about. A great many new ideas and theories, though it is claimed that they are based upon facts and scientifically proved, are often nothing else but fascinating and deceptive hypotheses bound to explode when the charm of novelty gives way to sober and close investigation. A rabbi must never adopt a theory in a hurry. He must wait with making up his mind till he has investigated it carefully from different opposite standpoints

THE RABBI AND CONSISTENCY.

There is nothing that commands so great respect and that gains such great confidence as faithfulness to principle. The moment that it is plain that a man acts from principle, that there is nothing dearer, higher and more sacred to him than consistency in his principles he commands irresistibly the respect even of those who vary in their views from him. With admiration are looked upon men who like Akabya ben Mahalalel, say, "I had rather be considered all my life a fool than to be guilty of wickedness in the eyes of God only for one moment."

Being that principle is of such great importance in general and especially so in the field of ministry, where so much depends upon the reliability and consistency of the minister, why do rabbis so often change their principle? Why have nearly all rabbis that come over from Europe so very orthodox, more or less changed? Why have those who were in Europe known for reformers changed into radicals? Why is such a great difference between the views with which even rabbis bred in America under reform influence, started their career and those they later advanced? Why do the rabbis not come out right at the start with the color and say this and that are our principles? Why is it more often the case among American rabbis to change principle than among their European confreres? Why did rabbis like the late Dr. Nathan Adler, of London, or the late Dr. Sampson Raphall Hirsch, of Frankfort-on-the-Main, who were men not only of great Talmudical knowledge but also of academical erudition, not find it necessary to become reformers?

Not every change of principle is approvable nor are the motives of every change of principle excusable. Changes of principle which arise from egotism, selfishness, monetary consideration, social rank and advancement, imitation of others, are not justifiable but are condemnable. But it is different with changes of principle that emanate from progressive ideas and tendencies, from truthfulness and from development into higher manhood.

An orthodox rabbi who turns into a sincere radical reformer does not commit by it any wrong whatsoever. He only shows that his thoughts and sentiments have grown mature and that he has ripened also into independence. He shows that he prefers the natural and historical standpoint also in religious matters. He shows a preference for the purer, more rational and ethical phases of Judaism. He shows that the general principles and the broader ideas of Judaism decide with him. He shows that he believes in a reconciliation of Judaism with the higher tendencies and claims of the spirit of the age.

Now, is it fair for honest and intelligent people to condemn a man that changes his principle from search of truth, from consideration of human nature and of the signs and higher tendencies of the time? Is it reasonable to expect that every rabbi, whether trained under orthodox or reform influences, should right at the beginning of his career be able to decide upon the nature and course of his ideas for all his long life? Is not special respect due to a man who by changing his principle shows not merely moral courage, outspokenness and candidness but also that he is consistent in the search for truth and that there is no consideration and no principle higher to him than truthfulness? That unmanly, lamentable fear which prevents so many to come out boldly with the truth and their sincere conviction has created also in modern Judaism a strong contingent of consistent hypocrites for life. Their pretensions in the pulpit and in the presense of their constituency are one thing and their private sincere opinions and practices are another thing. Their professional life is conducted upon the principal *Mundus vult decipi, ergo decipiatur*

The fact that such men like Dr. N. Adler of London, or Dr. S. R. Hirsch and others did not change their principle and remained orthodox all their life despite their classical education and the high social rank they occupied does not prove anything against the reform movememt of Judaism. Dr. Nathan Adler may have been great in gentleness, great in prudence, great in charity and great in executive abilities, but as a rabbi he has never been known of having had

an idea of his own. And a man like Dr. S. R. Hirsch, who in writing his commentary on the Pentateuch ignored from religious principle all modern geological, astronomical, archæological, mythological, ethnological studies and all modern comparative theological researches, can not come into consideration when a dispute is raised as to the claims and rights of progressive movements and tendencies.

Rabbi Akiba was once explaining the Law. A new rule he applied would not hold universally good. He dropped it remarking, "Reward is due to me both for the application and discontinuance of my new interpretation rule." Akiba's remark applies to all rabbis who are in changing their principles actuated by truthfulness and honesty. Respect is due to every honest worker whether in the field of orthodoxy or reform. Let a man always be true to his conviction, be he a Sadducee or a Pharisee. Shame only upon the money-servers, the time-servers and man-servers.

THE RABBI AND HIS OPPONENTS.

The Talmud says if a rabbi is much beloved in a congregation it is not always an evidence of dutifulness. Just the reverse may be the case. He may be much beloved just because he overlooks much and lets the members of his fold do as they please.

Quite in accord with this Talmudical idea it is to say, if a rabbi is disliked it may be because he is too dutiful, too conscientious, too anxious to see his fold doing and living right.

It is not always a shame to have enemies. Very often a rabbi may be proud of having them. It always depends upon the cause of the enmity and the character of the enemy. A rabbi may be congratulated upon his having enemies if the cause is that he would not allow anybody to use him as a tool; or that he would not deny his conviction to act contrary to the dictates of his conscience; or that he would not associate and become too familiar with everybody and so on.

Whatever the cause of the rabbi's being disliked may be he must never allow himself to be betrayed into passion; he must never retaliate; he must always be ready to forgive and if possible also to forget; he must always be just, even toward his greatest enemy; he must always be ready to extend the hand of friedship and must show by his bearing and action that he harbors no ill-will even against his enemies. Like the high priest of old who bore engraved upon the breast-plate the names even of those tribes which separated and worshiped from principle idolatry so must the rabbi have

at heart the welfare even of those who abandon the cause of Judaism. It is no easy thing to show all these virtues, and it is often a very hard trial for a man of education to show such perfection, as people of education usually feel much keener every offence, insult and wrong. For all that a rabbi must have so much good sense and self-control to get over such things; and were it for no other reason but because he preaches to others to do so. One of the greatest arts of life is to get along well with everybody; and one of the greatest arts a rabbi should understand well is to turn enemies into friends.

However, should a rabbi not be able to come up to such a high moral standard then let the congregation bear in mind that the rabbi is after all only a fallible man, that even the best of the high priests were not infallible and that there is no man living that is always right and never wrong. Man can not always command his feelings when offended or wronged.

THE RABBI AND HIS CONTRACT.

Is a rabbi bound to keep the contract he made with the congregation, or has he a right when a better position is offered him to break it? The question whether a rabbi is bound to keep his contract implies an insult to the rabbinical profession and only circumstances make it excusable. It is to a certain extent identical with the questions, "Shall a rabbi be honest?" "Shall a rabbi have manliness enough to keep his words and his promises?"

The breaking of the contract is not merely an immoral act, and a great wrong in itself, but it has a great many bad effects besides. It shakes the confidence in the rabbinical profession; it demoralizes the congregation for a long while; and it engenders a suspicion under which the best and most innocent successor has much to suffer.

According to the Jewish laws, a rabbi may break his contract only when his poor health necessitates such a step; or if he intends to retire entirely from office; or when the dissatisfaction of the congregation grows too strong. Otherwise he is bound to keep his contract with the congregation. (Rabbinial Correspondence of Meharia Mitrani II. 50)

THE RABBI'S PROPER SPHERE.

Complaints are often heard about the ministers meddling with things that are none of their business.

To say the least, it is very imprudent in a minister to meddle with

things that do not concern him; but when a charge is made to that effect against a minister it must be first considered whether it is really so.

There are a great many things with which people think a minister should not meddle, while in fact they would like to keep the minister out of that field merely because he is in their way of selfishness, ambition and wickedness. A minister must not meddle with party politics, but he would be no man if he would allow anybody to interfere with his duties as a good citizen. A minister must not interfere with the rights and duties of the Board of Trustees of his congregation; but he will command little respect if he would allow every office-seeker in the congregation to define for him what his rights and duties are. A minister must not care for what is none of his business; but it is his duty as a man to intercede when he sees or hears that wrong is done, and advantage taken, rights disregarded and just claims ignored, and nobody to take the side of the wronged and offended.

THE RABBI AND HIS VISITS.

A new feature in the office of the modern rabbi is the visitations he is expected to make. The rabbis in former ages called upon the people only when somebody was sick or in mourning, or poor; but it was something unknown that a rabbi should call merely for pastime The rabbi was expected to be at home studying constantly, day and night, the Talmudical writings. In our generation it is expected that the rabbi shall call upon the members as often as he can; and many a rabbi's trouble in the congregation comes from his carelessness to make calls.

A minister should consider it a part of his duty to call on people. Visitations are of great importance, not merely because he has a good chance to make a great many friends, but also because he can in that way study the moral and religious needs and wants of his congregation.

But the visiting minister must keep in view especially two things. He must not call merely on some; he must call on all, rich and poor, educated and illiterate, friends and opponents. And then when he calls it must create the impression that he does not call from mere pastime, or idleness or inquisitiveness, but from attachment, devotion, dutifulness and friendship.

In conclusion, let me refer to the prophet Amos ix. 13, where it reads: "Behold, days come when the plowman will be assisted by

the reaper, and the treader of grapes by the man that casts the seeds." May that be the relation of the rabbi and the congregation. May they assist one another in their works and plans; then work will be pleasant for them, the harvest beautiful, and they will have only one aim and one end—the glory of God, of Israel and of mankind.

RESOLUTIONS OF PAST CONFERENCES.

In accordance with the motion passed at the Cleveland meeting the resolutions of past "Reform" Conferences, upon which as a basis this conference builds, are herewith published as compiled, translated and abstracted by the committee to whom the work was referred.

THE RESPONSES OF THE FRENCH SYNHEDRIN 1807.

Compiled by Dr. L. Grossman, Detroit, Mich.

1. Are Jews allowed to marry several wives?

No. Citing the synodical dictum of Rabbi Gershom.

2. Does the Jewish faith permit divorce? And is an ecclesiastical divorce valid without the sanction of civil court or valid in the face of the French code?

Divorce is permissible, but only with the consent of the civil law.

3. May a Jewess marry a Christian, or a Christian woman a Jew? or does the Jewish law demand alliances between Jews only?

Marriage with Christians is not prohibited.

4. Are the French in the eyes of the Jews their brethren or their enemies?

The French Jews are brethren of the Frenchmen.

5. In either case, what duties does the law prescribe the Jews toward the French, who are not of their faith?

There is no difference for either kind of Frenchmen.

6. Do those Jews who are born in France and who are treated as French citizens, regard France as their native country, and do they feel themselves obligated to defend it, to obey its laws and to submit to all regulations of the civil code?

Yes, in all respects, France is their native country.

7. Who appoints the rabbi?

The mode of election is indefinite.

8. What police jurisdiction have the rabbis over the Jews? and what judicial authority do they possess?

They have no administrative power whatever.

9. Does the prestige rest simply upon usage?

Yes.

10. Are there trades which the law forbids the Jews to practice?

No.

11. Does the Jewish law interdict usury, the practice of usury with their co-religionists; and

12. Does it prohibit or allow usurious practices with Gentiles?

Every kind of usurious practice is strictly prohibited and regarded as infamous.

RESOLUTIONS ADOPTED BY THE BRAUNSCHWEIG CONFERENCE, 1844.

Compiled by Dr. L. Grossman.

The order of services as introduced in the Synagogues of Mechlenburg is in its entirety, and in its parts, in accord with Jewish doctrine and ritual and every Israelite who participates in a service conducted in this manner has completely and satisfactorily fulfilled his religious duty.

A committee appointed to revise and to reform the Jewish laws regarding marriage and divorce and to report at the next Rabbinical Conference.

The experience of modern rabbis has been that the most felicitous results have attended the dissemination of modern culture among Jews with regard to their conscientiousness.

The oath of a Jew is binding upon him without further ceremony than the invocation of the name of God.

"Kol Nidre" unessential, and to be abolished forthwith at the next "Yom Kippur."

Rabbis are to keep registers regarding the rites of circumcision administered.

A committee appointed to report on the following:

1. Is the Hebrew language in the services necessary, and if not necessary, is its retention still advisable?

2. How far is the dogma of the Messiah, and whatever this dogma entails, to be considered in our prayers?

3. Is the repetition of the "Shmore Esre" necessary and must the "Mussafim" be retained?

4. How can the "Kriath Hathoro" and the seven "K'ruim" be improved upon so as to make the reading less an element of disorder and more one of edification?

5. How can the "T'Kiath Shofar" and the "N'tilath Lulav" be made more devotional and less indecorous?

6. Is the introduction of the organ into our synagogues permissible?

The principle of the Paris Synhedrin was that Jews willingly defer the modern custom.

The members of the Synhedrin were:

1. Conscientious and scrupulous.

2. They did not posit anything as if to arrogate for their state ments any *absolute* imperativeness.

They acted in the sense of the Talmud, making the civil law supreme in all circumstances.

The responses of the notables and of the Synhedrin are indorsed as in perfect keeping with the spirit and the precepts of the Israelitish faith. Only one reservation is made, viz, as to Art. 3; mixed marriages are valid only in case the Civil Law permits that the children issuing from such a union may be educated in the Jewish faith.

The declarations of the Synhedrin apply to all Jews of all countries, not merely to the French.

But, while Judaism wishes to give guarantee that it has immunity from all anti-social tendencies, Judaism will never yield up the right of independence, within its specific compass, and emphatically declines to tolerate all further interference on the part of the state in its inner development and its own religious affairs. (*Vide Protocolle* p. 98. *Indorsement of Paris Synhedrin.*)

1. Jews are not allowed to marry several wives, as Rabbi Gershom already fixed synodically.

2. Divorce is allowed, but Jews must observe those civil laws regarding marriage in the respective states to which they are subject.

3. The marriage between a Jew and a Christian woman or the marriage of such as belong to monotheistic religions is not prohibited, if the State law permits that the children from such a marriage may be raised in the Jewish faith.

4. The Jew calls the members of the people among whom he lives, his brothers.

5. The law prescribes no laws for the Jew toward his fellow-Jew different from those toward his fellow-citizen.

6. The Jew is obligated to regard as his native country the one to which he belongs by birth and through civic conditions. He must defend it and obey all its laws.

7. Where there is no governmental regulation regarding it, the mode of the election of a rabbi is not otherwise determined.

8. The Rabbi has no ecclesiastical powers, he has only such rights as the State and the congregation invest him with.

9. Whenever the laws regulate the functions of the rabbi, his powers too are thus determined; when such administaation does not obtain, it rests with usage.

10. No trades are interdicted by the Jewish law.

11, 12. Usury is prohibited by the Jewish law and is regarded as infamous.

A committee is appointed to consider how doctrine and practice can be reconciled by means of an abrogation or modification of the Sabbath laws and of the dietary laws.

Rules of Order of Braunschweig Conference, 1844.

1. Sessions shall be public.

2. The resolutions of the Conference shall be morally binding upon those who voted for them as far as their circumstances and powers enable them to put these resolutions into practice in their respective spheres of work.

§ 1. The Rabbinical Conferences have for their purpose to deliberate jointly regarding the means by which the maintenance and the advancement of Judaism and the re-enlivenment of the religious sense can be secured.

§ 2. Every rabbi or rabbinical functionary and every one regularly charged with ministerial duties is entitled to take part in the deliberations.

§ 3. These conferences shall, for the time being, take place annually, on the date and in the place designated by a previous meeting.

It is, however, regarded as advisable to hold special meetings, in the interval of the General Conferences, of such rabbis as are stationed in closer proximity to one another in order to make suitable preparation for the General Conference.

§ 4. Every conference appoints a committee of three, out of the members of the Conference, who in conjunction with the local rabbi shall attend to all such affairs and matters as are necessary for the next conference.

§ 5. To a committee of members of the congregation in the place of meeting are to be referred all other arrangements.

§ 6. The Committee opens the first session and effects the selection of a Chairman and of a Secretary and of other alternates.

§ 7. Subjects for the deliberation of the Conference are propositions, according to the objects of the Conference (*vide* § 1), which pertain to the maintenance and the advancement of Judaism and of the re-enlivenment of the religious sense.

§ 8. The Committee receives all motions, which are submitted (*vide* § 4), examines them and reports verbally to the President, who refers them to the Conference for their consideration.

§ 9. All motions presented to the Committee within two months preceding the conference are published by the Committee in the Jewish press, and are submitted by the President in the order of their reception to the Conference for consideration and decision.

§ 10 (*a*) The Chairman calls upon the mover of the motion to state the same. The latter then explains and gives definite form to the question at issue. In case a motion has been offered by one who is not a participant in the deliberations, any one present or any member of the committee may serve instead.

(*b*) During such explanation the speaker must not be interrupted, except for the repetition of some expression not well understood.

(*c*) After this explanation, the discussion may be opened; each one of those who wish to debate begging for the word from the President, who affords opportunity to each one in order.

(*d*) The explanation by the mover of motion must be from the platform, while the interlocutors and debaters may speak from their places.

(*e*) Tne prime mover can answer any member, submitting, however, to the rules and procedure of order.

(*f*) Any member may offer an amendment of the motion in question, and such amendment is to be noted by the Secretary.

(*g*) After all have spoken on the matter, and no one asks for the floor to speak on it further, the Chairman submits the amendments in their order for vote, and finally the motion in its original form. If, however, any one amendment has been adopted, the original motion and the vote on it become unnecessary.

(*h*) Voting is usually by roll-call, but may be by ballot, upon the request of three members. In the latter case, the Secretary collects the ballots and counts them in conjunction with the President. The President then announces the result.

(*i*) The Secretary keeps minutes of all proceedings, and reads them at the beginning of each successive session. Corrections may be

made by any member, and after these are attended to, the minutes are countersigned by both President and Secretary. Upon the request of any member of the minority vote of a resolution his name may be expressly entered into the minutes.

(*k*) The minutes shall be published.

(*l*) The President and the Secretary may take part in the discussions, subject to above rules. If one of them offers a resolution, he vacates his seat for his alternate.

(*m*) The Chairman shall call to order any member who may indulge in passionate or personal remarks, or who may digress from the subject under discussion.

§ 11. The resolutions of this Conference impose upon those who voted for them the moral obligation to realize them in their respective spheres of work in as far as their circumstances and conditions enable them to do so.

§ 12. The dates of and the duration of the sessions are to be fixed by the Chairman.

§ 13. It is the privilege of the Chairman to exclude women from the deliberations when the Conference enters upon cert in deliberations.

§ 14. The Conference may last in general about eight days; but this may be lengthened or shortened, according to the discretion of the Conference.

§ 15. These By-Laws are valid for the present, as well as for subsequent conferences. The second conference, however, may determine upon modifications of the above rules for later conferences.

THE FRANKFORT RABBINICAL CONVENTION.

Compiled by Dr. I. Schwab, St. Joseph, Mo.

The Convention met on July 15, 1845. There were present the Executive Committee, consisting of Rabbi Stein as Chairman, and the Rabbis Formstecher, S. and A. Adler, and the following: I. Auerbach, preacher of Frankfort; Ben Israel, preacher of Koblenz; Einhorn, Rabbi of Birkenfeld; Frankel, Rabbi of Dresden; Geiger, Rabbi of Breslau; Gosen, Rabbi of Marburg; Guldenstein, Rabbi of Buchau; Herxheimer, Rabbi of Bernburg; Herzfeld, Rabbi of Braunschweig; Hess, Rabbi of St. Lengsfeld; Holdheim, Rabbi of Mecklenburg; Hirsch, Rabbi of Luxemburg; Hoffmann, Rabbi of Walldorf; Jolowicz, Rabbi of Kulm; Jost, preacher of Frankfort; Kahn, Rabbi of Trier; Maier, Rabbi of Stuttgart; Philippson, Rabbi of Magdeburg; Reiss, Rabbi of Altbreisach; Salomon, preacher of

Hamburg; Sobernheim, Rabbi of Bingen; Sueskind, Rabbi of Wiesbaden; Treuenfels, Rabbi of Weilburg; Wagner, Rabbi of Mannheim; Wechsler, Rabbi of Oldenburg. Those announced to arrive were: Frankfurter, preacher of Hamburg; Hochstadter, preacher of Langenschwalbach; Levy, Rabbi of Giessen; Lindemann, preacher of Mannheim; Lowengard, Rabbi of Lehren; S. Mayer, Rabbi of Hechingen; L. Schott, Rabbi of Randegg; Willstadter, Rabbi of Buehl.

Eight others who were members had not yet arrived. The beforenamed Chairman, Dr. Stein, opened the assembly with an address, reflecting on the work of the committee which had the year before been charged with the responsible task by the first Convention. He was afterward elected President of the new Convention.

In the first session the order of business was decided. Meanwhile a deputation of the Berlin Reform Association had arrived. They were intrusted with presenting a memorial to the Convention.

The committee appointed the year before at the Braunschweig Convention to elaborate opinions on six different questions, declared themselves ready to report. It was decided to proceed to their deliberation at once.

The first question was: "Whether and how far the Hebrew language was necessary for divine service, or, if not necessary, at least advisable in the premises." The committee's report suggested that there was no *objective* necessity for retaining Hebrew in service. But considering that *subjectively* there is yet a necessity for it with a large portion of the German Israelites, they proposed its retention for the typical parts of the liturgy, such as Barechu with its response, Shema (first chapter), the first and last three benedictions of the prayer proper, and the reading from the Torah; all the other parts of the liturgy should be newly arranged and rendered in the vernacular. The subject was brought to debate. It resulted in a negative vote of the majority as to the legal obligation of retaining Hebrew in divine service. Long debates then ensued on the point of the expediency of retaining it. The vote taken on this problem unanimously favored the advisability of employing the Hebrew language in divine service. The committee's view recommending the use of Hebrew compositions in the devotional practice to be limited to the four portions of the ritual named above, was adopted by eighteen members against twelve who were opposed to it. The predominant sense of the assembly was that the vernacular should receive an integrant consideration in the future Jewish ritual.

In the eighth session, July 20th, the order of the day was the second point in the committee's report: "How far are the dogma of Messiah and the notions connected with it to be embodied in the prayers?" The committee recommended, that "the idea of Messiah deserves a high recognition in the prayers; yet all politico-national conceptions must be excluded from it." In the following debate Einhorn proposed that the Messianic prayers be formulated in such a way as to express the hope of the spiritual regeneration and union of all mankind in faith and love, accomplished through Israel. Holdheim asserted that, according to the enlightened thought of the Jews of our day, the destiny of Judaism is not bound up with a Jewish state, but, on the contrary, religion itself requires a close and sincere attachment to the commonwealths in which the Jews abide. Hirsch maintained that the prophets foretelling a future independent prosperous state, did so correspondingly to the needs of their times. In our own, however, the Messianic doctrine can only be accepted as purporting the universal emancipation of mankind; that is, its gradual perfection in purity and holiness. Solomon suggested that Judaism, differently from paganism, points to the future for the inauguration of the golden age, which is to be that of the universal domination of light, truth and peace; this is, indeed, the biblical idea of final deliverance. The intelligent Jews of our day do not countenance the prospect of a personal, political Messiah. Maier urged, in the same strain, that all the expectations clustering round the would-be deliverer descended from the family of David, are rejected by a large portion of the Jewish community. It would then be wrong to continue the prayer for the restoration of the Jewish state, for it could at best be said only with the insincerity of mental reservation. The Messianic idea must therefore assume, in its expression, a spiritual significance. A. Adler advanced that the time of expecting a real Messiah is past. The only acceptable idea of Messiah is, the return of the spirit to its own domain, the kingdom of love and truth, but not the return of Israel to the land "flowing with milk and honey." That idea is to be vigorously expressed in the ritual. Herxheimer said that the Messianic idea as heretofore held, implies discontent with the present conditions. A longing for a separate Jewish state was born of oppression in the past. Such sentiment agrees no more with our modern state. If Messianic hopes are to be uttered, it must be in general terms, suggestive of the redemption from physical and spiritual evil, as well as of steadily increasing intellectual and moral culture. Stein con-

tended again that the doctrine of a personal Messiah might be upheld in our prayers, provided that no exclusive political bearing be assigned to it. It is unobjectionable in the sense that such a personage will finally usher in the universal dominion of justice and truth, and a consolidation of all mankind in the bonds of mutual peace and unity. Even the prayer for the rebuilding of Jerusalem and the temple could be kept up; piety requires it even. He believed that at some future time, when the kingdom of God would be established on earth, and all men be fraternally united in the faith of Him, Jerusalem would again rise from its ruins and a grand temple be constructed there as a visible sign of that spiritual union and for the worship of God by all nations, according to Isa. lvi. 7; Zeph. iii. 9. However, the prayers for a return to Palestine have to be rejected. They do not come from the heart, and are untrue. We know but one fatherland; the one in which we live and aim to strike root deeper and deeper. Formstecher proposed that since the idea of Messiah was never aught but the outcome of the needs of certain past times, it ought to be utterly banished from the ritual. It is enough to keep it alive by readings from the prophets. This answers all needful prayers. The modern sermon will, further, spiritualize it agreeably with the prevalent views of the progressing ages.

While the debate on this subject was carried on, a motion was made, and accepted, to solve first the preliminary question: "Shall the prayer for the return to the land of our forefathers and the restoration of a Jewish State be eliminated from our ritual?" This question was decided in the affirmative by a vote of the majority. Then the main question, "Whether the Messianic idea is to be distinctly and prominently recognized in the ritual?" was submitted to the assembly for consideration. It was likewise determined affirmatively by a majority of the members. These combined votes settled the whole question of the Messianic mention in the ritual, as proposed and treated by the committee's report.

In the session of July 21st the order of the day was the query: "Is it necessary for the reader to repeat aloud all the benedictions of the so-called Shemoneh Ezreh; and, further, are the Musaph prayers, with their direct reference to the ancient sacrificial worship and invocations of God for its re-establishment, to be at all kept up in the liturgy?" The committee had in their report unanimously concurred in asserting that the former was unnecessary. They recommended that only the first and last three benedictions should be repeated aloud. On

the latter point they were not agreed. The majority were for abandoning the Musaph prayers. It was so advocated in the report. The committee's recommendation of the non-repetition of all the benedictions of Shemoneh Ezreh was adopted by a majority vote. As to the Musaph prayers, Dr. Maier reporting in behalf of the committee, stated the standpoint of its majority to be that they are at the present day inappropriate because the sacrificial cult is removed from the consciousness of the people. Only the first and last three benedictions should be left of the frame of Musaph-Tefillah. These should be read in Hebrew. For the Musaph formula proper, containing sacrificial reminiscences and implorations, there should, however, be substituted a German prayer treating of the import of the respective solemn day. In the debate held on this proposition, Treuenfels stood up for retaining Musaph, because its historical reference to sacrifice has an indisputable devotional merit. At the same time must it be kept free from any imploration of the restriction of the sacrificial cult, for the prophets themselves have not held out the promise of such an event. Hirsch said that the Talmudical view that sacrifice is an abiding command, and its suspension is to be considered a punishment for sin, is bodied forth in our traditional ritual. Over against this view stands the prophetical, that God requires no gifts at our hands. This we, too, may safely maintain. Consequently must our prayer contain no yearning for sacrifice. Solomon affirmed as motto, Hosea vi. 6, stating that in the Hamburg temple ritual the prayers for the restoration of sacrifice were abolished. The retention of Musaph would prove an unpardonable inconsistency in those avowing reform principles. Holdheim observed that the external ceremonialism of sacrifice is not valued any more in our time; even the most orthodox Jew would shrink with horror from the oblation of bloody victims. The tenor of Musaph must positively be changed accordingly. Herzfeld opposed decidedly any sacrificial references in prayer. He could rather tolerate Messianic reflections in the ritual than sacrificial. He objected even to the committee's proposition of preserving the first and last three benedictions of the Musaph-Tefillah. There can be no object of true piety in rehearsing them from the previous Shacharith-Tefillah. At most may the Musaph be replaced by a suitable, newly-composed prayer after the sermon.

A. Adler contended that the idea of sacrifice can not vanish from our consciousness. Sacrifice is devotion or prayer, in the ancient mystical form. The largest part of sacred Scripture would be false-

hood and deceit were there not a high importance accorded to sacrifice. As Scripture ordained an increased devotion for Sabbaths and holy days, it is our duty, too, to have an additional means of devotion on these solemn days. This is offered by the Musaph. It has yet to be cleared of the prayer for the restoration of sacrifice.

S. Adler divided the question before the assembly in two, viz., whether we should continue to hope and pray for such restoration, and whether the Musaph-Tefillah is to be retained. He refuted Hirsch's construction of the purpose of sacrifice. The prophets, he rejoined, never declared it dispensable. They only pronounced it insufficient, if not attended by real amendment of life. The same view was maintained by the Talmudists. Though there is a relative sentence which goes even beyond the prophetical estimation of sacrifice, namely, "Prayer is greater than sacrifices" (Berachoth f. 32), yet it is certain that the Talmud did not thereby intend to disparage this mode of worship or surrender the hope of its future re-establishment. It intended this as little as did the prophets with their similar utterances. He further replied to the argument of Solomon and Herzfeld, declaring it inconsistent with reform principles to retain Musaph. The inconsistency, he said, was rather with the committee, who were of the opinion that the typical character of the traditional prayers must not be effaced; nay, who approve of the institution and preservation of the formulas of prayers for morning, evening and night, all of which originated from the old sacrificial ritual, while on the other side they want to except Musaph from the claim of being retained. He urged that it be retained. Geiger offered as an amendment that the Musaph shall be kept free from the mention of sacrifice and the prayer of its restoration, and, further, that it be entirely abolished for the New Moon festivals; these having lost all significance for us.

The debate on the subject was most animated. When it was brought to a close the President, summing up the various views brought forward, stated that he finds all the members agreed on this point, that all prayers for the re-establishment of sacrifice ought to be abolished They differed only in their motives He then submitted to the assembly the question: "Are the prayers for such re-establishment to be eliminated from our ritual?" All answered in the affirmative. The other question was then put: "Shall the ritual contain at least a mention of the sacrificial rites?" Geiger promptly objected that the mere mention could have no practical object, and that if it were required on Sabbaths

and holy days (in the Musaph-Tefillah), there was no reason why it should not have to be embodied in the daily prayers as well, for according to the Talmud, these were instituted as corresponding to the Tamid sacrifices. The vote on the question: "Shall the Musaph prayer be retained?" resulted affirmatively, by a majority, it being definitely understood, however, that there should be in it no more than a mere mention of sacrifice, in the reverent form of historical reminiscence.

The fourth subject presented for discussion was: How is the public reading from the Torah to be improved? The committee had in their report recommended to introduce a triennial cycle, and to abolish the calling of individuals before the Torah. The President in making the question separated it in two parts. The consideration of the cycle of Torah reading was first taken up. Geiger opposed a triennial rotation, alone for the reason that it would create a confusion in the customary designation of the rotatory sections of the Torah. He proposed instead a division of such traditional section into four parts. The first part should be assigned to the Sabbath afternoon service; the second and third be read respectively at the Monday and Thursday services of each subsequent week; the remainder be reserved for the morning service of the following Sabbath. He dwelled, besides, on the soulless way and form to which the public reading of the Pentateuch was reduced. It has been alienated from its original design of imparting information to the hearers. To this end the ancients had a translator by the side of the reader, who rendered each verse after it was read into the popular Aramaic vernacular, for the sake of those not understanding the Hebrew sufficiently. Later the Aramaic version lost its importance, and the synagogue fell back upon the original custom of reading the Hebrew text alone. But even this improvement was turned to naught by the manner in which it was done. The proper way in our time would be to read, translate and expound paragraph for paragraph of each section. Yet prejudice would doubtless set itself against such an order of Torah reading. There is against it, too, the objection that it would lengthen the divine service too much. Geiger's project met with a fair support. Yet a large majority of the members preferred the committee's proposition of a triennial cycle and decided in its favor. The President then laid before the assembly the question: Whether the ancient institution of a translator of the Hebrew text at the public reading of the Torah should be re-introduced? Through some incident this question was not brought to a

debate. It was even left unnoticed when the business of the assembly was resumed at the next session. Another subject relative to those readings was broached instead; whether, since a triennial cycle was determined upon, the annual reading on the Simchath Torah festival of the last, and a portion of the first section of the Pentateuch ought not to be altered? A majority voted for a triennial performance of the ritualistic custom. Another question was offered for consideration: whether a selection from both the Prophets and the Hagiographa should be made and compiled for being read in the vernacular as Haftarah? It was decided in the affirmative. Also the mode of the public reading of the Book of Esther on Purim was made a subject of deliberation. It was unanimously agreed that the reading should not be repeated on the morning of the feast. As to the language in which the reading should be performed, whether in the original or the vernacular, almost all the members were inclined to the former. Yet no vote was taken on this matter.

Another important subject was then placed before the Convention for consideration. It was, whether the custom of calling before the Torah on Sabbaths seven adults and, besides, another for the Haftarah, should be continued. The committee, with the exception of one member, had reported adversely upon it. A debate ensued. The vote subsequently taken resulted in asserting the propriety of adhering to the custom of calling seven adult Israelites before the Torah, but at the same time in recommending the abolition of the whole act of Maftir, in so far as to discontinue the calling up of an additional person for the Haftarah and the reading for him of a repeated portion of the Torah, together with his own benedictions.

The question of the admissibility of the organ into the synagogue was later taken up. The committeee had urged its introduction. The President stated that a special committee had elaborated an opinion on the two questions: Whether the music of the organ in itself was adapted to the synagogue service, and whether an Israelite was permitted to perform on that instrument on the Sabbath. He then read verbatim the paper in which the committee had set forth their relative views. These were favorable on both points of the inquiry. The assembly concurred unanimously, and by acclamation, in the committee's recommendation of the organ. On the problem of allowing an Israelite to play it on the Sabbath all but one voted in the affirmative (two abstained from voting), declaring

positively that there is not the least objection to such performance from the point of Sabbath observance.

In the fifteenth session, July 24th, the order of the day was the reading of the report of the committee on diverse communications addressed to the Rabbinical Convention, and action upon it. A memorial of the Berlin Reform Association had been presented (a deputation appeared in person to attend at the meetings, as noted above). A sketch of a reply to it was read before the assembly by Philippson, the chairman of that committee. The memorial stated that the object of the Association was to "break through the stagnation that had kept back the development of Judaism in the many centuries past, to redeem it from its antiquated forms, and preserve its perpetual substance in new and timely forms. The members of the Association offered the 'hands of fellowship' to the convention, conscious of the right of their own endeavors, but at the same time of their incompetence to proceed single-handed in the work of giving modern Judaism its future conformation. This has to be accomplished by the co-operation of representative cultured and learned Israelites, in conjunction with the rabbis. They trust that from the joined efforts of both the convention and the association there will come forth a Synod, to be called by a large body of German co-religionists, in which alike the lay people and the theologians will be authoritatively represented." The committee's reply to the memorial was in the main approving and encouraging. It was adopted by the convention with some modifications.

A motion introduced by S. Adler to declare the female portion of Israel's communion equal with the male sex in all respects of religious obligation and privilege, was referred to a newly-appointed committee. A proposition by Geiger to select a committee for getting up good books for home devotion, was promptly adopted.

At the next session the committee reported on the question moved by Hirsch in the Convention of the year previous: "Whether there are means of reconciling religious precept and the demands of practical life in regard to the Sabbath observance, and which they may be?" The report of the committee on this question was ready to be laid before the Convention. But the time for deliberating this momentous subject was deemed too short. It was, therefore, decided to postpone the discussion and action upon it to the next, third, Convention. Meanwhile, the report was ordered printed, to enable all the members to acquaint themselves with its contents.

At the seventeenth session the subject brought up for consideration was, the use of modern bathing establishments for ritualistic lustrations. It was decided in the affirmative. On July 18th, the Convention held its eighteenth and last session. The revised reply to the memorial from Breslau was read and adopted. A sketch of one common reply to communications from thirteen other Jewish communities was, with few changes, also accepted. To the President himself was committed the reply to those addresses sent by the Jewish communities of Worms, Giessen and Frankfort.

The propositions of Geiger and Philippson to found one or more Jewish theological faculties for the training of rabbis in Germany, were read. It was unanimously resolved to select a committee who should awaken the interest of the Jewish public in such institutes, and, joined by other intelligent and reputable men, work toward their realization. Five members were chosen as such committee.

A motion was made and carried to request the present Executive Committee to publish in print the various reports on subjects that could not be gone through with at this Convention An Executive Committee for the ensuing year was then appointed, also a committee on revisions of the minutes of the present assembly. After some other business details had been dispatched, the President reviewed the transactions of the Convention whose sessions were about to close.

He stated that the various resolutions and enactments passed therein, covered a large ground of reform measures. He was confident that "through the activity of the rabbis assembled the interest in divine service, flagging with so many Israelites, would be roused anew; and that, ere the new ritual to be published by the Convention would appear in the house of God, it would already have taken root in the hearts of our co-religionists. He was certain that "those who now allege against us the aim of destroying traditional Judaism, will eventually call us the 'builders.' * * * God is our witness that all we aim at it is, to strengthen the Jewish religious life. The assembly of this year was variously suggestive and preparatory. God preserve our courage for the next!" His farewell remarks and a speech by the second Secretary, Dr. Hirsch, followed. Then the President, in the name of God and the assembly, declared the second Rabbinical Convention closed.

RESOLUTIONS PASSED AT THE THIRD CONFERENCE OF GERMAN RABBIS, HELD AT BRESLAU FROM JULY 13 TO JULY 24, 1846.

Compiled by Dr. E. Schreiber, Little Rock, Ark.

Dr Abraham Geiger, of Breslau, was President of the Conference. The following rabbis were present: A. Adler, of Worms; S. Adler, of Alzey, now of New York; J. Auerbach, of Frankfurt A.M.; Ben Israel, of Coblentz; David Einhorn, of Birkenfeld; Formstecher, of Offenbach A.M.; Goldstein, of Waren; Gosen, of Warburg; Gueldenstein, of Buchan; Herxheimer, of Bernburg; Herzfeld, of Braunschweig; Hess, of Eisenach; Holdheim, of Mecklenburg-Schwerin; J. J. Kahn, of Trier; M. Levy, first teacher of the "Religious-Schule," Breslau; L. Loevy, of Muensterburg; Pick, of Toeplitz; L. Philipsohn, of Magdeburg; Sobernheim, of Bingen; L. Stein, of Frankfurt A.M.; Wagner, of Manheim; Wechsler, of Oldenburg; Jalowitz, of Koeslin; Loewengard, of Lehren-Steinfels. Samuel Hirsch, of Luxenburg; Joel, of Frankfurt, and Maier, of Stuttgart, excused their enforced absence.

The Conference made the following declaration concerning the

I. SABBATH.

1. The restoration of a solemn celebration of the Sabbath as a day of rest and sanctification, is one of the most sacred duties not only of the teacher in Israel, but of every Israelite. Therefore, special attention must be paid in our days to make the divine service more solemn; to further the sanctity of the Sabbath in the homes, in order better to impress the people with the holiness of the day. (Protokolle der dritten Rabbinerversammling, page 166–172, Breslau, 1847, Leuckhart.)

2. The solemnity of the divine service on the Sabbath is of such vast importance, that for the sake of bringing about this result even such work can be done as under other circumstances would be prohibited on the Sabbath. Every labor is therefore permissible on the Sabbath which belongs to a solemn divine service. (Pages 172–73.)

3. Brain-work does not belong to the category of labor, which is prohibited on Sabbath. (Page 195.)

4. In cases, where the stoppage of a business might endanger one's existence, such business may be done on Sabbath days by non-Israelites. (Pages 173-74.)

5. In cases where the whole temporary welfare is at stake, where the material existence of a man is threatened, it is permitted to do any kind of work on the Sabbath. (For instance in case of fire. Page 174)

5. Where human life is in danger, or such danger is to be feared, no matter whether it be the life of a Jew or non-Jew, everything is permitted to be done on the Sabbath, to prevent such peril. (Pages 174–75.)

7. The too great rigor of the Sabbath laws are disadvantageous to the proper celebration of the Sabbath. Hence the Rabbinical Conference declared all those exaggerated prohibitions called hedges, or fences, which tend to produce an idle rest no longer binding. (Pages 175–75.)

8. The institution of *Erube Chozeroth* and *Erube Techumin*, which under the cover of relieving the strictness of the Sabbath-laws are actually mere evasions of the same, are both superfluous and inadmissible. (Pages 177–79.)

9. The Jewish soldier is bound to attend to his military duties on the Sabbath. (Pages 195–97.)

10. While the Jewish official is permitted to attend to the duties connected with his office, he should endeavor to restore the solemnity of the Sabbath in his home. (Pages 197 207.)

11. The Conference declares that societies for the establishment of a worthy celebration of the Sabbath can, under certain circumstances, serve a good purpose. (Pages 179–80.)

II. HOLIDAYS.

The Conference declares:

1. The second holidays, *i. e*, the second and eighth days of Passover, the second day of the Feast of Weeks, of the New Year, of the Feast of Booths, and of the Festival of Conclusion, have lost their meaning for our time The second day of *Tishri* deserves, however, special consideration. (Pages 232–33, 237–44.)

2. Congregations are therefore fully justified in abolishing the second holidays, if they are inclined to do so. (Pages 233-44).

3. In congregations, however, where the abolition of the second holiday meets with the opposition of ever so small a part of its membership, the festive character of the day has to be preserved in the divine service, but the prohibition to work on that day is set aside. (Pages 234–37.)

4. Hence it is not prohibited to eat leavened bread on the 22d day of Nissan, or on the so-called last day of Passover. (Page 237.)

5. The blowing of the Shofar on the first day of the New Year, and the use of the festival-bunch on Succoth, is permitted, even though these holidays happen to occur on the Sabbath day (Pages 344–47.)

6. The custom of not eating rice, hirse and pulse on Passover has no foundation at all, and can be dispensed with. (Page 247.)

III. CIRCUMCISION.

The Rabbinical Conference declares:

1. It is necessary that every Mohel should be thoroughly instructed by a surgeon in all matters pertaining to circumcision, should pass an examination and prove by his credentials his authority to perform such operations. (Pages 184–85.)

2. A Mohel, who on account of bodily defects—trembling of the hands, near-sightedness, etc.—is incapable of performing an operation should not be permitted to perform the act of circumcision. (Pages 185–186.)

3. The so-called *Periah* can be performed with a surgical instrument if the assisting surgeon prefers this to the finger-nail, which is [illegible] rule used for this purpose. (Pages 186–188.)

4. The Mezizah is to be set aside. (Page 188.)

5. It is desirable to have a physician treat the child after the circumcision. (Page 189.)

6. It is necessary to have the physician examine the child and decide whether the circumcision should not be postponed on account of sickness or bodily ailings. (Page 275.)

7. In case a child dies or becomes a chronic invalid in consequence of the circumcision, and the parents are afraid to have their other children circumcised they may postpone the performance of this act until the physician has declared there is absolutely no danger to fear from the circumcision. (Pages 275–278.)

IV. MOURNING CUSTOMS.

The Conference declares:

1. That the customs of tearing the garments, of causing the beard to grow during the thirty days after a death, of sitting on the floor, of removing the leather shoes, and the prohibition of washing, bathing and greeting have lost every religious significance for our days, are, in fact, repulsive to our religious sentiment and deserve to be set aside. (Pages 279–283.)

2. The Conference deems it advisable for the mourner to stay at

home three days—not seven—counted from the day of burial, provided higher duties and considerations of health permit it. (Pages 283–289.)

3. The Conference deems it further advisable that the mourner keep aloof from every pursuit of his business as far as possible on the day of the funeral, also on the two days following the burial. Others, however, are permitted to attend to their business affairs

Resolutions referred to special committees, the following are of special importance:

I. MARRIAGE LAWS.

Geiger reports on chaliza and proves the necessity of its abolition. (Pages 293–298)

Holdheim recommends that a rabbi should officiate at an intermarriage of Jews and non-Jews. (Page 10, par. 5.) That "Jibbum" should be declared an incest, and "chaliza" superfluous. (Page 11, par. 8.) Herzfeld, Bodenheimer and Maier were also members of this committee.

II. COMMITTEE ON SABBATH.

Abolition of the services on the eve of Sabbath and holidays. (Pages 114, 207, resolutions of Drs. Gotthold, Salomon and Wechsler.)

Auerbach recommends that every work in the cause of philanthropy be permitted on the Sabbath. (Pages 114, 207.)

Samuel Adler recommends Sunday services of the character of week-day services. (Page 249.)

Jolowitz recommends a resolution permitting the writing on the Sabbath to Jewish children attending Christian schools. (Pages 252, 301.)

III. COMMITTEE ON HOLIDAYS.

Abolition of the official public service on the eve of holidays. (Protokolle 2, Rabb. Wers. Page 380.)

Abolition of תקיעת מיושב and recommendation to have תקיעת מעומד accompanied with musical instruments.

Abolition of ספירת העומר

Abolition of the prohibition of eating chamez on the eve of Passover.

IV. COMMITTEE ON FAST DAYS

Abolition of all fast days except that of Yom Kippur and the Ninth of Ab. (Prot. 2. Rabb. vers. page 380.)

Geiger, Wechsler, Kahn, S. Adler and A. Adler were members of all these committees.

V. COMMITTEE ON LITURGY.

This committee was composed of Stein, Salomon, Geiger, Maier and Herzfeld. (Prot. 2. Rabb. vers. page 172.)

VI. COMMITTEE ON RELIGIOUS OBLIGATION OF WOMEN.

This committee was composed of S. Adler, Einhorn, A. Adler.

S. Adler recommended that women be counted whenever a quorum is needed at the divine service. (Prot. 2 Rabb. vers page 169; prot. 3 Rabb. vers. Einhorn's report pages 253–266.)

VII. COMMITTFE ON UNFINISHED BUSINESS.

This committee was composed of Stein, Formstecker, A. Adler and S. Adler.

PLAN FOR RELIGIOUS SCHOOLS.

Concerning סתם יינם and נכרי חלב שחלבו Abolition of Abuses —Amulets—In the Room of Women in Confinement; Change of Name in Cases of Sickness.—Abolition of מלקות and of כפרות —Concerning dissection of Jewish corpses.

XI. COMMITTEE ON REVISION OF DIETARY LAWS ON PASSOVER.

This committee was composed of S. Adler, Einhorn and Holdheim. (Prot. 3. re. v. page 248.)

XII. COMMITTEE ON REVISION OF DIETARY LAWS.

This committee was composed of Einhorn, Holdheim, Hirsch, Herzfeld, S. Adler. (Ibid. Page 402.)

As a member of the committee on a Jewish Theological Faculty, Geiger held an important correspondence with the executors of the will of Fraenkel Bros., the result of which has been the establishment of a Rabbinical Seminary several years later.

Dr. L. Adler offered, in the name of the Conference, a vote of thanks to Geiger for the "just, kind and clever" manner in which he presided over the assembly in the midst of some very exciting debates, when the most burning questions and vital subjects were discussed. Through this Conference the Breslau congregation became renowned throughout Germany as the banner-bearer of Reform Judaism and scientific Jewish theology.

RESOLUTIONS OF THE FIRST SYNOD, AT LEIPZIG, FROM JUNE 29 TO JULY 4, 1869.

Compiled by Dr. E. Schreiber, Little Rock, Ark.

The following is a list of the members present:

Isaac Levy, of Aachem; Dr. Rothschild, Rabbi of Alzey; Rev. Dr. I. H. Hirschfeld, of Augsburg; Rev. Dr. Joseph Aub, of Berlin; Prof. Dr. M. Lazarus, and Werthheim, Secretary Israel congregation of Berlin; Rev. Dr. Gust. Philippsohn, of Dessau; Rev. Dr. Herxheimer, Land Rabbi of Bernburg; Salomon Blumenau, of Beelefeld; Rev. Dr. Goldman, Land Rabbi, Birkenfeld; Fruehbberg, Bleicherode; Rev. Dr. Ludwig Philippson, Bonn; W. Wurzburger, Bochum; Dr. Aronheim, lawyer; F. Spanyer Herford, Braunschweig; Rev. Dr. M. Joel, Dr. Honigmann, lawyer, Breslau; E. A. Astruc, Land Rabbi, E. Lassen, Brussels; Samuel Marcus, Bucharest; Dr. D. Adler, Land Rabbi, Cassel; Rev. S. A. Wolf, Coethen; Dr. B. Meyer, M. D., Coswig; Abraham Gumplowicz, Cracau; Rev. Dr. Feilchenfeld, Culm; W Wolfsohn, Dessau; Dr. W. Landau, Chief Rabbi; Emil Lehman, lawyer, Joseph Bondi, Moritz Elimeyer, Dresden: M. Simson, Eisleben; Rev. Dr. Hochstaeder, Ems; Rev. Dr. M. Kayserling, Endingen-Lengnau, I. D. Schw.; Dr. Phil. M. Wahl, Isaac Lamm, B Moos, Erfurt; Moses Blumenfeld, Essen A. Ruhr; I. Wittelshoeffer, Rabbi, Floss; Dr. Abraham Geiger, Rabbi, Frankfurt A.M.; Rev. Dr. Kohler, Theologian, Fuerth;* Dr. Med. Wollner and Samuel Schlesinger, Gleiwitz; Dr. E. Munk, professor, Glogau; M. Wieruszewski, Goerlitz; Rev. C. Jonas, preacher, Hamburg; Dr. Wiener, teacher, Hanover; S. Steinhard, teacher of the seminary, Hildburghausen; M. Meyerhof, President of the congregation, Landsberg A. Warthe, Rev. Dr. A. M. Goldschmidt, Rabbi, Dr. Julius Fuerst, professor, Moritz Kohner, president of the congregation, Osias M. Finkelstein, Herman Meyer, Leipsig; B. Hollaender, Leobschuetz; H. Leeser, teacher, Luebbecke; Rev. Dr. Gustave Gottheil, Rabbi, Manchester, England, now Rabbi of Temple Emanuel, New York; Adolph Reinach, Neuwied; Simon Herman, New York; Jonas Valentin, Niemburg a Weser; S. Falkenstein, Nordhausen; Gustav Josephstahl, attorney at law, Nuernberg; I. Klingstein, teacher, Odernheim; Rev Dr. A. Wiener, Rabbi, and I. Muenzer, President of the congregation, Oppelin; Rev. Dr. S. Muehsam, Rabbi, Potsdam; George Feigl, Brag; H. Hess, Roten-

*Now Rabbi of New York.

burg; E. Rothschild, Stadtoldendorf; S. Eisenberg, Stendal; Rev. Dr. Leopold Loew, Rabbi, Szegedim; Ignatz Bauer and S. L. Landesmann, Toeplitz; Rev. W. N. Nathan, preacher, St. Thomas, West India; Rev. Dr. M. Dreifus, Rabbi, Walldorf; Joseph Ritter v. Wertheimer, President of the congregation, Dr. Med. Max Engel, Second President; Emanuel Biach, Third President; Prof. Salomon Sulzer, Cantor; Simon Szanto, Director of the Religious School and editor of the *Neuzeit*, Vienna.

Prof. M. Lazarus was President; Dr. Geiger and Ritter Joseph v. Wertheimer were Vice-Presidents of the Synod.

The following are the resolutions passed by the Synod at Leipzig, 1869; compiled by Dr. Ludwig Philipson:

1. The Jewish Synod declares Judaism to be in harmony with the principles of modern society and government; principles which were proclaimed in Mosaism and developed in the teachings of the prophets

Judaism is in harmony with the principle of the unity of the human race; of the equality of all before the law; of the equality of all in duties and rights to the country and to the State; and with the principle of full liberty of the individual in his religious convictions and in the confession of the same.

The Synod recognizes in the development and realization of these principles the safest guarantees for Judaism and its professors in the present and future, and sees in them the most vital conditions for the unlimited existence and the highest development of Judaism.

The Synod recognizes, therefore, in the peace of all religions and denominations among themselves, in their mutual esteem and equality of rights, and in the fact that the war for truth is waged with spiritual weapons and in a strictly moral manner only—one of the great aims of humanity.

The Synod, therefore, considers it one of the essential tasks of Judaism to acknowledge, to further, to represent these principles and to work for them

A resolution, by Dr. Wollner, of Glewitz, that "in the attempt to solve the evils of the time proper attention should be paid to the connection with the Bible and tradition" was not carried.

2. By the committee on religious instruction. Drs. Herxheimer, Hochstaedter, Phillipson, of Dessau.

I.

The Synod recommends the establishment of religious schools for both sexes.

II.

It is the duty of the congregations to see to it that wherever high schools exist which are attended by Christian and Jewish pupils, religious instruction be given to the Jewish pupils.

III.

The Synod favors the introduction of non-sectarian—"*Confessionslos*"—schools, and sees no danger to Judaism in them. But the Synod deems it necessary that aside from these non-sectarian schools, such institutions be created as would perpetuate the knowledge of Judaism among the rising generation.

IV.

The Synod considers as essentials for religious instruction not only the customary teaching of Biblical History, but an acquaintance with the entire range of biblical and post-biblical literature together with the religious doctrines of Judaism. It also favors the study of the Hebrew language, in which the biblical literature is written.

V.

The Synod declares that while scientific criticism has no place in the school, the teachers and pedagogues are expected to make the pupils acquainted in a wise, cautious manner with the results of modern science, in order to guard them from skepticism in later years.

VI.

The Synod recommends the establishment of as many seminaries for Jewish teachers as possible, and of chairs for Jewish religious instruction in Christian seminaries, where a number of Jewish candidates are matriculated. The Jewish seminarists ought to devote a part of their time to the study of music, in order to be able to officiate as cantors.

VII.

The Synod considers the establishment of one or more higher institutions of learning for the science of Judaism—theological faculties—as the highest task in the interest of the scientific knowl- of Judaism. It will be one of the main objects of the Synod to awak-n general interest in the establishment and maintenance of such institutions.

Offered by Director Szanto.

2*a*. The Synod may declare:

It does not conflict with the principles of the Jewish dogmatics

in presenting to the youth the historical and physical events, which are reported in the Bible, in harmony with the progress of science, as long as the facts themselves are not denied.

A teacher who explains a miracle of the Bible in a natural way should not be, on this account, removed from his position.

By the Committee on the Public Service.

3. Adler, Philippson, Bonn, Joel.

These resolutions are the outcome of the " Rabbinical Conference at Cassel " (from August 11 to August 13, 1868), which was attended by twenty-four rabbis, and prepared the way for the Synod of Leipzig.

I. SABBATH-MORNING.

1. The reading from the Thora should be done in the Hebrew language. The three years' cycle is recommended as the most opportune way of shortening the reading.

2. The Haphtaroth should be recited in the vernacular, and should be selected in accordance with the three years' cycle.

3. The public service begins with Borchu. An introductory prayer in the vernacular is worthy of recommendation.

4. From *Borchu* to the end of the *Tefilla* the Hebrew language is to be used. One member of the committee wanted the prayers between *Borchu* and *Shema* and between *Shema* and the *Tefilla* in the vernacular.

5. The Tefilla should not be repeated.

6. The text should be changed in the passages containing prayers for the restoration of the sacrifices of animals and the return to Jerusalem.

7. In the prayers to be revised and in the new prayers special stress is to be laid on the mission of Israel, on the providential guidance in its checkered history, on the great principles of Judaism, on its progressive development, the future universal dominion of the knowledge of God, of the love of justice, peace and humanity. (Messianic Age.)

II. MORNING SERVICE ON THE THREE HOLIDAYS.

8. Commencing like the Sabbath service, Hallel (Hebrew or vernacular), reading from Thora, special Haphtara, and hymns suitable for the holiday.

9. All Pijutim shall be abolished. Between the Tefilla and Hallel contemplation on the ideas conveyed by each festival is suitable. *Geshem* and *Tal* should be supplanted by a prayer in the vernacular.

The *Hoshanos* on Succoth should be recited in Hebrew, and shortened on Hoshana Rabba.

III. ROSH HASHANA MORNING.

10. In the Mussaf Tefilla on Rosh Hashana and Yom Kippur special contemplations in Hebrew and in the vernacular are to be inserted expressive of the relation of these holidays to the individual.

IV. YOM KIPPUR.

11. Between each of the four divisions of the service contemplations in the vernacular and penitential prayers in Hebrew or in the vernacular should be interpolated.

12. The memorial service for the dead (Haskaroth Neshamoth) is to be held between Mussaf and Minchah.

13. The Abodah should be recited, but in a revised and abbreviated form.

V. EVENING SERVICE ON SABBATH AND HOLIDAYS.

14. One member of the committee proposed the following order of the evening service: Song, psalms 92 and 93 in the vernacular, Borchu, etc. As in the old prayer-book, Kiddush and Kaddish in Hebrew and a special contemplation for the holiday.

Another member, while agreeing with this, wants one chapter of the Lechu Nerannenu and an abbreviated Lecho Dodi and the Sabbath psalm repeated.

A third member favored the retention of the old service, and, in addition thereto, an opening prayer in the vernacular before Borchu and a closing prayer after Kiddush.

15. On Yom Kippur, special introduction suitable for the occasion, sermon, penitential prayers in Hebrew and in the vernacular alternately.

VI. IN GENERAL.

16. Congregational singing with one voice is to be encouraged.

17. The organ accompaniment is, therefore, worthy of recommendation.

A choir with several voices and musical exhibitions are then only to be recommended when sufficient talent is at hand. Profane music should be excluded.

4. Concerning marriage and divorce. Referred to a committee for the next Synod.

I. A RESOLUTION BY DR. AUB.

The wish, often heard, that at weddings the bride should also give a ring to the bridegroom, is not to be legally rejected, yea, is to be recommended. I, therefore, move that after the bridegroom has given to the bride the ring with the words הרי את מקדשת לי the bride, in her turn should put a ring on his finger and say אני לדודי ודודי לי (I belong to my friend and he belongs to me.)

II.

Non-observance of Jewish ceremonies should no longer be a cause for invalidity as a witness at weddings or divorcements.

III.

A bill of divorce may be forwarded through the mail in order to be handed to the woman by a trustee.

IV.

As soon as a court of law has declared a person dead, such declaration holds good and is considered legal in ritual cases.

V

The form of Chalitza justly creates offence in our day and ought to be essentially changed.

VI. MOTION BY DR. L. ADLER.

Resolved, That instead of Chalitza the bride and the bridegroom should sign a document by which they renounce the right of יבום and the brothers of the bridegroom should declare in writing that they would not object to the re-entering of their sister-in-law into the bond of matrimony in case their brother should die without leaving an offspring.

5. Report of the committee on motions concerning ritual matters. Kahn, Wiener and Adler.

Dr. Wiener offered a most exhaustive report on the Dietary laws, but the committee was too timid to give an opinion on the same and simply offered the following resolution:

"*Resolved*, That the Synod declare changes in the Ritual laws permissible, and choose a committee to offer motions of this character to this or to the next Conference."

6. Motion of Dr. Wollner. Amendment to Philippson's resolution rejected.

7. Motion of Dr. Hirschfeld, of Augsburg, "To leave the old service alone, and to make for all those who do not like it a new ritual for the Sabbath and holidays, the service not to last longer than half an hour," was not acted upon.

8. Motions of Dr. Engel and J. Fuerst: The Synod should answer the following questions, respectively, and appoint a special committee for inquiry into their merits:

(*a.*) Is a child born of a Jewish mother to be considered a Jew, although he has not been circumcised?

(*b.*) If he is considered a Jew, in accord with the forms of Judaism, how is he to be treated on occasions connected with Jewish ceremonies?

Prof. Dr. Fuerst moved: "The Synod may declare, that, according to the Talmud, a child born of a Jewish mother belongs to the Jewish community, no matter whether the child is circumcised or not. A boy born of Jewish parents has, therefore, to be registered in the Jewish matricles, no matter whether he is circumcised or not.

"The omission of circumcision on the part of the father is simply looked upon as the omission of any other law, which is punished by Kareth, but must not be followed by evil consequences brought about by human laws.

"A Jew, who from any reason has not been circumcised, is entitled to be called to the Sefer Thora and his oath is just as good as that of any other righteous Jew."

Dr. Emil Lehman, Wolfsohn, Reinach, Dr. Wiener, Szanto, favored immediate action on the subject, but did not carry their motions.

9. To the Committee on Marriage and Divorce were conveyed the following motions of Land Rabbi Wechsler:

I. DIVORCE.

1. The bill of divorce, according to its chaldic form and its contents is not adapted to our age. It ought, therefore, to be written in the vernacular.

2. If a woman has accused her husband of infidelity, or desertion, and has received on this account a divorce from a court of law, but her husband refuses to give the bill of divorce, she can marry after a year without a *Get.*

II. CHALITZA.

1. Chalizah should be dispensed with, being antiquated and superfluous, provided this motion is carried.

2. The neglect of Chalizah is no impediment to the marriage of the widow.

10. Resolutions moved by Prof. Sulzer, of Vienna: The Synod may declare it desirable:

1. That Jewish school children be instructed in liturgical songs.

2. That the principal pieces of the Hebrew service which form the typical part, should be sung according to the same melody in all synagogues.

3. That instrumental accompaniment of all songs during the service should be introduced.

4. The Kaddish is to be recited once only during a service and a passage should be inserted in the Kaddish which bears on the demise of the departed.

4. Part of the Thora lesson should be read on Sabbath Minchah, another part on Monday and Thursday morning and still another on Sabbath morning.

6. That the calling of people to the Thora, having lost all meaning, as nobody reads the Thora himself, and only disturbs the devotion, should be abolished.

7. That a school for cantors should be established.

11. Motion of Dr. Hirschfeld, concerning a new codification:

12. Handed over to the Committee on Ritual.

Motion of Joseph Ritter v. Wertheimer, of Vienna: To appoint a committee on the following questions:

1. Is it permitted to ride on Sabbath and holidays for the sake of attending the service? or,

2. For the purpose of philanthropic work?

3. Is it also permitted for the sake of instruction or pleasure?

4. Does it, in such a case, make any difference, whether a person rides on a railroad, in a hired carriage or in one's own conveyance?

13. Resolution of Dr. Philippson, of Bohn: For the present withdrawn.

The Synod may declare:

1. Since the destruction of the Temple the priesthood is only an historical remembrance.

2. Judaism has its foundation in the Bible — Thora, Neibim, Kethubim. The tradition forms simply a link in the chain of a living development, which is not yet concluded.

3. Therefore, Judaism recognized no schism, sects, notwithstanding the difference of opinion on many religious points. As in the time of the temple in Jerusalem there was the Onias Temple in

Egypt; as there were Sadducees and Pharisees, Shammaites and Hillelites, Kabbalists and Talmudists, so there are now divergent parties, but there is no split.

4. Therefore, the autonomy, independence and self-government of Judaism in all religious matters must be most sacredly preserved.

14. Resolution by Dr. Wahl, of Erfurt, concerning the business of the Synod. This resolution was accepted.

15. Resolution by Dr. Emil Lehman:

1. The declaration of the Braunschweig Rabbinical Conference, that *marriages between Jews and Chirstians* are not to be prohibited from the Jewish side, provided that the state does not compel the children of such marriages to be brought up in the Christian religion, holds good in our days.

2. If those countries, where civil marriage is obligatory, or optional, it is perfectly valid for Jewish marriages also, provided that the Mosaic precepts on marriage, marrying an aunt, etc., are not violated. A religious ceremony is desirable, but not indispensable.

A remnant of the former subjection of the Jewish congregations, rabbinical jurisdiction in matters of divorce is to be set aside. Divorces of Jewish marriages belong to the civil courts.

4. Where according to Jewish law a marriage is permitted, while according to the civil law the same marriage is prohibited—as, for instance, marriages of cousins, and of uncle and niece—the Jewish law prevails.

5. A committee of rabbis should lay before the next Synod all Jewish laws on divorce, and consider the question of equality of rights of the sexes in this respect.

16. Motion by Prof. Julius Fuerst concerning Jewish observances. Handed over to a Committee on Rites.

The Synod may resolve:

1. The laws contained in Exodus, Leviticus, Numbers and Deuteronomy have to be understood from a religious-ethical point of view, critically and historically in the spirit of archæolgy. These laws should be judged in comparison with the legislations of the old world and the causes of their origin. *Taame Hamizvoth.*

2. The Synod declares that the labors of Saalschuetz, Steinheim, Salvador, Geiger and others should be a guide to the committee in this their work.

3. After a critical investigation the committee will find how much of the ceremonies should be observed. Even from the Orthodox

point of view the agricultural, civil and criminal laws; the institution of the Sabbath and jubilee year; on the sacrifical and sacredotal cult; on jurisdiction, which virtually constitute nine-tenths of the laws, belong to the study of archæology only and have *lost all meaning for practical life.* Hence our Sabbath, marriage and dietary laws must also be investigated from the standpoint of scientific research.

The mover of a resolution to abolish certain ceremonies has to explain in a pamphlet the scientific reasons of the same.

17. Resolutions by Geiger. Partly carried, partly in the hands of committees, and partly withdrawn by himself.

(*a*) Theses on the divine service:

1, The prayer-book remains Hebrew in its essential parts.

2. On especially distinguished days German prayers and contemplations are to be inserted.

3. The duration of the service must be shortened to such an extent that devotion may not be overcome by fatigue. Hence, repetitions and non-essential pieces must be omitted, and even the important ones be recited alternately only at different times.

4. Conceptions not in keeping with the progress of the age must not find expression in our prayers. Hence,

(*a*) Sensuous significations of divinity, as found in the Pijutim, must be omitted.

(*b*) The enumeration of the various orders of angels and the description of their activities deserve no place in our prayer-book.

(*c*) The belief in immorality must not be expressed in the one-sided idea of bodily resurrection.

5. The great historical mission of Israel as the banner-bearer of truth and light must be strongly accentuated.

6. Hence the national side of Israel has to be pushed into the background.

(*a*) The separation of Israel from other nations ought no longer to find expression in our prayers.

(*b*) Every vestige of self-conceit on our side on account of our sublime mission, and every allusion to "other nations," must be eliminated from the prayer-book.

(*c*) The hope of the unification of the whole human family in truth, justice and peace should be emphasized. The hope, however, that a Jewish monarchy in Palestine, with a rebuilded temple in Jerusalem, will be re-established, and all Israelites be gathered from every corner of the globe and return to the promised land has vanished

entirely from our consciousness. The expression of such a hope in prayer would be a naked untruth.

7. It is also incompatible with the entire progress of the age to conceive that a time will come when our divine service should again become a sacrificial service.

8. Passages which even remotely remind us of the former human sacrifices, which were at *all times an abomination to Judaism*, ought to be eliminated from the prayer-book.

9. But also animal sacrifices can no longer be represented as an institution to be longed for, neither does the rememberances of the same contain the least moment of religious elevation. Hence, the prayer-book should remain free from it.

(*b*) Marriage laws.

1. The institution of chalitza has outlived the sphere of its usefulness, and is superfluous in all cases. But if the Synod is not yet prepared to adopt this perfectly justifiable resolution, the following motion is made:

(*a*) The act of chalitza should be simplified. The taking off of the shoes, the spitting on the side of the woman, the numerous senseless questions should be abolished. A simple declaration by the brother-in-law that he renounces every right, with respect to the widow, is perfectly sufficient.

(*b*) This act can be performed, in the absence of the wife, by a collegium of rabbis.

(*c*) Should the brother-in-law refuse such chalitza, or try to exact onerous terms from the widow, then the act of chalitza is dispensed with, and the widow has a right to marry again.

(*d*) A widow on whom the act of chalitza has been performed may marry a kohen.

2. The religious divorce—*Get*—is to be simplified.

(*a*) As soon as the civil courts have declared for divorce, the religious divorce has to follow.

(*b*) After a short conference on the side of the collegium of rabbis by which it is proved that a reconciliation of the couple is out of the question, a letter of divorce, which expresses in all brevity and in the vernacular that the marriage is dissolved, has to be given to each party.

(*c*) As soon as the court has declared a marriage dissolved, the religious divorce has to be performed, even though one of the parties objects to it. It matters not whether the husband refuses or not. The divorced woman is permitted to marry again.

(*d*) A divorced woman is permitted to marry a kohen.

3. In fact, all prohibitions concerning the marriage of a so-called Aaronide are to be set aside. Hence, he can marry a proselyte woman.

(*c*) Higher institution of learning.

The Synod declares:

The establishment of a higher institution of learning for the science of Judaism is of the greatest importance in the interest of a scientific knowledge of Judaism. The Synod will do all in its power to further such an institution.

THE SECOND SYNOD AT AUGSBURG, HELD FROM JULY 11–17, 1871.

Compiled and Translated by Dr. E. Schreiber.

The following is a list of the members who were present: Emanuel Biach, S. Szanto, Dr. Kompert, author, Ritter v. Wertheimer, Vienna; Rev. Dr. Fuerst, rabbi, Bayreuth; B. Hollander, Leobschuetz; Wertheim, Secretary of the Congregation, Dr. Abraham Geiger, rabbi, Dr. Joseph Aub, rabbi, Prof. Dr. M. Lazarus, Berlin; Dr. Wiener, rabbi, Oppeln; Dr. Goldschmidt, rabbi, Dr. Julius Fuerst, Professor, Moritz Kohner, President of the Congregation, Leipzig; Rev. Weiman, rabbi, Buchau; Alexander Elsaesser, teacher, Laupheim; Rev. Dr. Nehemias Bruell, rabbi, Rev. Dr. Adolf Bruell, Candidate of Theology, Dr. Jacob Auerbach, Frankfurt A. M.; Rev. Dr. Hochstadter, district rabbi, Ems; Samuel Marcus, Attache of the American Consul, Bucharest; A. Gumplowicz, Krakau; Rev. Dr. Loew, rabbi, Szegedin; Tannenbaum, teacher, Laupheim, S. A. Weil and E. Prager, journalist, Muenchen M. Bettman, Dr. Gustav Josephstal, attorney at law, and M. Fechheimer, Nuernberg; Rev. Wittelshofer, rabbi, Floss; W. Obermeier, teacher, Oettingen; Rev. Dr. Engelbert, rabbi, St. Gallen; Rev. Dr. Wasserman, rabbi, Muehringen; Dr. Dreifuss, land rabbi, Meiningen; S. Kramer, teacher, Ansbach; Rev. Dr. Silberstein, rabbi, and Strassburger, teacher, Buttenhausen; Rev. Dr. B. Wechsler, land rabbi, Oldenburg; Rev. Dr. Vogelstein, rabbi, Pilsen; Rev. Dr. Elias Gruenebaum, district rabbi, Landau; Dr. Dessauer, physician, Bamberg; Rev. Dr. L. Adler, land rabbi, Cassel; Rev. Dr. Hirschfeld, rabbi, S. Rosenbusch, First President, Moritz Bauer, Second President of the Congregation, Moritz Obermeyer, Herman Kohn, Heinrich Landauer, Augsburg; Dr. Ortenau, notary, Feurth; I.

Klingenstein, editor of the "Israelitische Lehrer," Oberingelheim; Flesch, Oettingen.

It was of course noticed and commented upon that Dr. Ludwig Philippson did not even consider it worth while to excuse his absence.

Some people claimed that he was dissatisfied with the result of the Synod at Leipzig so far as the election of the officers was concerned, because Lazarus, Geiger and Ritter v. Wertheimer carried away the palm. But we can hardly imagine that such trifles would have influenced so modest a man as the journalist, Philippson, has proven himself to be.

Prof. Lazarus was elected President; Dr. Abraham Geiger, First Vice-President; Dr. Kompert, Second Vice-President.

Dr. I. M. Wise, Cincinnati, regretted very much in a letter to Geiger his enforced absence, he being an עבד עולם from the Synod.

RESOLUTIONS PASSED BY THE SECOND SYNOD.

I. MARRIAGE.

1. It is proper, that during the marriage ceremony, after the bridegroom has delivered the ring to his bride with the words:

הרי את מקודשת לי

the bride in her turn should also give to her future husband a ring with a few appropriate words. (Verb. D. II. Isr. Syn. Pages 30-49.)

2. The Synod recommends that in countries where the civil marriage is intrusted to the rabbi he should, during the religious ceremony—as is the case in Wurtemberg—ask the couple whether they are willing to marry one another. (Verb. Pages 49–53.)

3. Nobody can be declared unfit to be a witness at a marriage or divorce on account of his non-observance of certain ceremonies. (Verb. Pages 62–71.)

4. The Synod declares that the custom of not performing marriage ceremonies on certain so-called unlucky days, in particular in the time from Pesach to Shabuoth, and during the so-called three weeks, has no religious foundation at all, serves only to further superstition, and does not foster pious feelings. Hence this limitation is to be set aside with the exception only of the week in which the Ninth of Ab is celebrated. (Verb. Pages 71–76.)

5. A widow, who has a child by her deceased husband, need not wait longer than a year before entering into the bonds of matri-

mony again. Where urgent circumstances in the interest of the widow and the child render it necessary for her to marry before the year of mourning is over, she may do so. (Verb. Pages 76–79.)

6. The civil marriage has, according to the conception of Judaism, perfect validity, provided that the Mosaic laws of prohibited degrees—marriage between aunt and nephew and others—are not violated. The religious solemnization, however, is in the interest of the religious idealistic moment, urgently recommended. (Verb. Pages 105 and 257.)

7. A final decision of the courts, concerning the identity of a deceased person, and a judicial decision declaring the missing person to be dead, have also sanction for ritual cases. (Pages 114–127.)

8. The biblical precept concerning the Chalitza has lost its importance since the circumstances which made the necessary levirate marriage and the Chalitza no longer exist. The idea underlying this observance has become estranged from our religious and social views.

9. The non-performance of the Chalitza is no impediment to the widow's re-marriage. In the interest of liberty of conscience, however, no rabbi, if requested by the parties, will refuse to conduct the act of Chalitza in an appropriate form. (Verb. Pages 138 and 155.)

10. Whereas the ordinances of the Christian church and the laws of modern States are, in regard to the prohibited degrees of affinity, almost more rigorous than the Jewish marital laws, and whereas they look upon marriage as upon an ethical union of the souls, and, in consequence of this, prohibit everything which violates morality, therefore the Israelitish Synod in Augsburg declares that the talmudical marriage law concerning proselytes of heathen origin has no bearing at all upon such persons as have been converted from Christianity to Judaism. (Verb. Page 156.)

11 Resolution of Hollænder and consorts:

The Synod appoints a committee to find a suitable form for the ברכות אירוסין i. e., to make a new ritual for marriages in lieu of the present antiquated one. (Referred to the Committee on Ritual.)

12. Motion by Dr. Josephstal:

The Synod resolves to appoint a committee to formulate propositions to the next Synod on the jurisdictional proceedings in matters of divorce, especially with respect to consulting rabbis in

the matter, and the causes of divorce, so far as they are still valid. It is expected that both sexes will enjoy equality of right. (Referred to a committee of five, at least one jurist to be among them.)

13. Motion by Dr. Wassermann:

Resolved, The Synod declares:

1. A general revision of the Shulchan Aruch is decidedly necessary.

2. It has to be done, not only with a negative, but with a positive tendency.

3. Men endowed with the necessary knowledge and elected *ad hoc* by the congregations are entitled to undertake such revision.

The motion was not carried because it was the sense of the speakers—Szanto, Adler, Silberstein and others—that a revision of the Shulchan Aruch would mean its recognition as authority by the Synod, an honor not deserved by such a work.

13. Dr. N. Bruell moved:

The Synod may declare that the Shulchan Aruch has no significance at all for us as a religious code, the views contained in it have never been our theoretical conviction and never shall be so.

As Dr. Wassermann had withdrawn his motion no further action was taken in the matter.

14. The following questions of Joseph von Wertheimer and Dr. Wiener were answered in the affirmative:

1 Is it permitted to make use on Sabbath and holidays of a railroad or carriage in order to take part in an elevating divine service, especially when great distances from the house of worship, old age, or sickness, would prevent attending the service?

2. Does the same permission apply in matters of charity, when the postponement or neglect of doing such work would be disadvantageous?

3. Is the permission to be extended to purposes of instruction and of recreation?

15. The Synod passed the resolution that it is permissible for a Jew to play the organ on the Sabbath.

16. The Synod declares that the validity of the bath for female proselytes is dependent on the presence of two trustworthy Jewish women. It is known that the Shulchan Aruch necessitates the presence of *two men* in the bath room. Carried unanimously.

17. Resolution by Dr. Kompert:

It is recommendable that in the seminaries for teachers courses

should be established for the cultivation of Jewish cantors; further, that institutions should be started for the special cultivation of cantors. (Carried.)

18. Resolution by Dr. Szanto:

A more solemn celebration of the Chankah Festival in synagogues and schools is to be recommended. (Carried.)

19. Resolution by Dr. Wiener:

For the sake of enabling the youth to attend divine service, it is recommended to see to it that they are dispensed from attendance on the schools for one hour on the Sabbath. (Carried.)

20. Resolution of Dr. Wolf, of Vienna:

The Synod may declare that the laws in the Shulchan Aruch concerning the validity of the testimony of a non-Jew have lost their meaning in our days. (Referred to a commiteee, and not voted upon, in order not to provoke prejudice. They were ashamed of the existence of such a law.)

21. Dr. Wiener's motion concerning the abolition of the second holiday was referred to a committee consisting of Drs. Wiener, Bruell and Silberstein.

22. The establishment of a statistical bureau on the cult of German-Jewish congregations was resolved upon, and a committee of ten appointed to carry out the work.

23. Motion by Dr. Gruenebaum:

That the Synod may appoint a committee to report to the next Synod on the abrogation of the precepts on עֲרלה בכור בהמה and סירוס (castration of animals) in the interest of agriculture. Gruenebaum, Hirschfeld and Geiger were appointed on this committee.

24. While the Synod presupposes that the high significance of the circumcision as undoubted in Judaism, it, nevertheless, declares in answer to the question addressed to it that a boy who was born of a Jewish mother is to be regarded as a Jew, even though he had not been circumcised, the reason for the neglect of circumcision having no bearing at all on the fact of his being considered a Jew to all intents and purposes in all ritual relations. (Jebamot בן אינו אוכל אבל אוכל הוא בתרומה Joreh Deah Is 64, par. 1. Sifte kohen 4.) (This important resolution was unanimously carried.)

25. Resolutions by Dr. Szanto and Dr. Auerbach:

The Synod declares:

1. Judaism has since the earliest period of its history passed through different phases of development. A new, highly important

turning point in its history is now at hand. The spirit of true knowledge of God and of pure ethics fills more and more the consciousness of humanity in government, art and science. Judaism cheerfully recognizes in this the approach of its ideals which have illuminated its historical march.

2. The essence and mission of Judaism are to-day the same as they have been The powerful change, however, which has taken place in the views of mankind at large and of the adherents of Judaism in particular, and the changed position which it occupies in the midst of the nations has called forth an urgent necessity of the regeneration of many of its ceremonies.

3. Judaism has from the very earliest period of its history laid special stress upon knowledge, and equally demanded at all times the agreement between thought, feeling and deed. In this sense it goes to work courageously and fearlessly in order to set in motion that regeneration. While fully appreciating and venerating the past, it strives in accord with earnest scientific research to set aside what is obsolete and antiquated to unfold itself in the spirit of the new age.

4. The Synod desires to be an organ of this unfolding. The convictions and aspirations of modern Judaism shall find in it their decided expression. It intends to labor with clear consciousness that the reform in Judaism for which we have striven for several decades should be gained by a possibly harmoniously spirit, and taking into consideration the wants of all our co-religionists become a successful consummation. The Synod wishes to preserve the bond which unites all Israelites, and desires to further to the best of its ability the higher interests in life and science.

5. The Synod makes no other pretentions and demands for its resolutions than those which the power of truth, of sacred earnestness and of firm convictions bestow upon it. It is, however, well aware of this fact that this power, the only one which ought to exercise an influence in the realms of religion, is overwhelming, irresistible and is bound to conquer in the end, in spite of all impediments and difficulties.

6. The Synod, while striving to yield to the requirements of the age, is convinced that in doing so it works for the preservation of Judaism. In this manner it at as one with the spirit of Judaism in its entire historical evolution, at one with all its co-religionists, no matter to which party they may belong. Thus it hopes to labor in the cause of harmony, not for the next moment and not by a

denial of its convictions, but by the spirit of truth which, according to the principles of our ancient teachers, is the fundamental condition of peace.

7. The task of the Synod is not concluded by these preceding declarations of principles. Considering the innermost connection between the religious life and the social and civil circumstances, it appears to be the indispensable duty of the Synod to lend adequate expression to the consciousness of the unity of our co-religionists in all questions pertaining to their civil and social condition.

These declarations of principles were unanimously carried, and accompanied with various manifestations of applause. The closing address of the President was repeatedly interrupted by applause. A vote of thanks was offered at the instignation of the President to the Vice-Presidents and Secretaries. On motion of Dr. Leow a vote of thanks was offered to the President. The following were the committees appointed:

Committee on Cultus: Drs. Adler, chairman; Wiener, Geiger, Bruell and Aub.

Committee on Ritual: Drs. Wiener, Aub, Gruenebaum, Dreyfus and Hirschfeld.

Committee on Religious Instructions: Drs. Szanto, chairman; Hochstædter, Bluemenau, Auerbach and Klingenstein.

Committee on Calling a Third Synod: Drs. Geiger, president; Aub, Wertheim, Kompert, Von Wertheimer, Biach, Bruell, Astruc and Rosenbush.

Committee on Dr. Fuerst's Resolution to abolish all rights and privileges of the so called Kohanim (Aaronites): Drs. Wechsler, Fuerst and Vogelstein.

Committee on Second Holiday: Drs. Wiener, Bruell and Silberstein.

Committee on Statistics: Drs. Engelbert, president; Wittelshœffer, Wassermann, Dreyfus, Prager, Loew, Szanto, Wertheim, Samiel, Markus and Vogelstein.

PHILADELPHIA CONFERENCE, NOVEMBER 3–6, 1869.

Present: S. Adler, New York; J. Chronik, Chicago; S. Deutsch, Baltimore; D. Einhorn, New York; J. K. Gutheim, New York; B. Felsenthal, Chicago; S. Hirsch, Philadelphia; K. Kohler, Detroit; L. Mayer, Selma, Ala.; M. Mielziner, New York; S. H. Sonneschein, St. Louis; M. Schlesinger, Albany, N. Y.; I. M. Wise, Cincinnati.

The Conference adopted the following principles:

1. The Messianic aim of Israel is not the restoration of the old Jewish state under a descendant of David, involving a second separation from the nations of the earth, but the union of all men as children of God in the confession of the unity of God, so as to realize the unity of all rational creatures and their call to moral sanctification.

2. We look upon the destruction of the second Jewish commonwealth not as a punishment for the sinfulness of Israel, but as a result of the divine purpose revealed to Abraham, which, as has become ever clearer in the course of the world s history, consists in the dispersion of the Jews to all parts of the earth, for the realization of their high priestly mission, to lead the nations to the true knowledge and worship of God.

3. The Aaronic priesthood and the Mosaic sacrificial culte were preparatory steps to the real priesthood of the whole people, which began with the dispersion of the Jews and to the sacrifices of sincere devotion and moral sanctification, which alone are pleasing and acceptable to the Most Holy. These institutions, preparatory to higher religiosity, were consigned to the past, once for all, with the destruction of the second temple, and only in this sense—as educational influences in the past—are they to be mentioned in our prayers.

4. Every distinction between Aaronides and non-Aaronides, as far as religious rites and duties are concerned, is consequently inadmissible, both in the religious culte and in life

5. The selection of Israel as the people of religion, as the bearer of the highest idea of humanity, is still, as ever, to be strongly emphasized, and for this very reason, whenever this is mentioned, it shall only be done with full emphasis laid upon the world-embracing mission of Israel and the love of God for all his chi'-dren.

6. The belief in bodily resurrection has no religious foundation, and the doctrine of immortality refers to the after-existence of the soul only.

7. Urgently as the cultivation of the Hebrew language, in which the treasures of divine revelation are given and the immortal remains of a literature that influences all civilized nations are preserved, must be always desired by us in fulfillment of a sacred duty, yet has it become unintelligible to the vast majority of our co-religionists; therefore, must it make way, as is advisable under existing circum-

stances, for intelligible language in prayer, which, if not understood, is a soulless form.

MARRIAGE LAWS.

(*a*) MARRIAGE.

1. The bride shall no longer be a passive party to the marriage ceremony, but a mutual consecration by both bridegroom and bride shall take place by their speaking the same formula of marriage and by the exchange of rings.

2. The following is the formula of marriage: "Be consecrated to me as wife (as husband) according to the law of God."

3. For the traditional benedictions ברכת אירוסין there shall be substituted such a benediction as sets forth the full moral grandeur of marriage, emphasizes the Biblical idea of the union of husband and wife into one personality (והיו לבשר אחד) and designates purity in wedlock as a divine command.

4. Polygamy contradicts the idea of marriage. The marriage of a married man to another woman is as little possible as the marriage of a married woman to another man and must be considered null and void.

5. The priestly marriage laws which presupposed the greater holiness of the Aaronides have lost all significance since the destruction of the Temple and the disappearance of the old sacrificial cultе and therefore hold no longer.

(*b*) DIVORCE.

6. From the Mosaic and rabbinical standpoint divorce is a purely civil act, which never received religious consecration; it is therefore valid only when it proceeds from the civil court. The so-called ritual *Get* is invalid in all cases.

7. A divorce given by the civil court is valid in the eyes of Judaism, if it appears from the judicial documents that both parties have consented to the divorce, but when the court has decreed a divorce against the wish of one or the other of the couple, Judaism for its part can consider the divorce valid only when the judicial reason for granting the divorce has been investigated and found of sufficient weight in the spirit of Judaism. It is recommended that before deciding the rabbi obtain the opinion of experts.

8. The decision of the question as to whether, in doubtful cases, the husband or wife is to be declared dead after lengthy disappearance, is to be left to the law of the land.

(c) LEVITICAL MARRIAGE.

The command to marry the brother-in-law, and in case of his refusal to take off the shoe, etc., has lost for us all sense, all importance and all binding force.

CIRCUMCISION.

The male child of a Jewish mother is no less than her female child—in accordance with a never-disputed principle of Judaism—to be considered a Jew by descent even though he be uncircumcised.

PITTSBURG CONFERENCE, NOVEMBER 16–18, 1885.

Present: I Aaron, Ft. Wayne, Ind.; J. Bloch, Youngstown, O.; S. Falk, Buffalo, N. Y.; A. Guttmann, Syracuse, N. Y.; E. G. Hirsch, Chicago; A. Hahn, Cleveland; K. Kohler, New York; J. Krauskopf, Kansas City, Mo.; A. Moses, Louisville; M. Machol, Cleveland; L. Mayer, Pittsburg; L. Naumberg, Pittsburg; D. Philipson, Baltimore; S. Sale, Chicago; S. H. Sonneschein, St. Louis; M. Schlesinger, Albany, N. Y.; M. Sessler, Wheeling, W. Va.; I. Weil, Bradford, Pa.; I. M. Wise, Cincinnati.

The Conference adopted the following Declaration of Principles:

In view of the wide divergence of opinion, of conflicting ideas in Judaism to-day, we, as representatives of Reform Judaism in America, in continuation of the work begun at Philadelphia, in 1869, unite upon the following principles:

First. We recognize in every religion an attempt to grasp the Infinite, and in every mode, source or book of revelation, held sacred in any religious system, the consciousness of the indwelling of God in man. We hold that Judaism presents the highest conception of the God idea as taught in our Holy Scriptures and developed and spiritualized by the Jewish teachers, in accordance with the moral and philosophical progress of their respective ages. We maintain that Judaism preserved and defended, midst continual struggles and trials and under enforced isolation, this God idea as the central religious truth for the human race.

Second. We recognize in the Bible the record of the consecration of the Jewish people to its mission as priest of the one God, and value it as the most potent instrument of religious and moral instruction. We hold that the modern discoveries of scientific researches in the domains of nature and history are not antagonistic to the doctrines of Judaism, the Bible reflecting the primitive

ideas of its own age, and at times clothing its conception of Divine Providence and justice, dealing with man in miraculous narratives.

Third. We recognize in the Mosaic legislation a system of training the Jewish people for its mission during its national life in Palestine, and to-day we accept as binding only the moral laws, and maintain only such ceremonies as elevate and sanctify our lives, but reject all such as are not adapted to the views and habits of modern civilization.

Fourth. We hold that all such Mosaic and rabbinical laws as regulate diet, priestly purity and dress, orignated in ages and under the influence of ideas altogether foreign to our present mental and spiritual state. They fail to impress the modern Jew with a spirit of priestly holiness; their observance in our days is apt rather to obstruct than to further modern spiritual elevation.

Fifth. We recognize, in the modern era of universal culture of heart and intellect, the approaching of the realization of Israel's great Messianic hope for the establishment of the kingdom of truth, justice and peace among all men. We consider ourselves no longer a nation, but a religious community, and, therefore, expect neither a return to Palestine, nor a sacrificial worship under the sons of Aaron, nor the restoration of any of the laws concerning the Jewish state.

Sixth. We recognize in Judaism a progressive religion, ever striving to be in accord with the postulates of reason. We are convinced of the utmost necessity of preserving the historical identity with our great past. Christianity and Islam being daughter religions of Judaism, we appreciate their providential mission to and in the spreading of monotheistic and moral truth. We acknowledge that the spirit of broad humanity of our age is our ally in the fulfillment of our mission, and, therefore, we extend the hand of fellowship to all who operate with us in the establishment of the reign of truth and righteousness among men.

Seventh. We reassert the doctrine of Judaism that the soul of man is immortal, grounding this belief on the divine nature of the human spirit, which forever finds bliss in righteousness and misery in wickedness. We reject, as ideas not rooted in Judaism, the beliefs both in bodily resurrection and in Gehenna and Eden (Hell and Paradise) as abodes for everlasting punishment and reward.

Eighth. In full accordance with the spirit of Mosaic legislation, which strives to regulate the relation between the rich and poor, we deem it our duty to participate in the great task of modern times,

to solve, on the basis of justice and righteousness, the problems presented by the contrasts and evils of the present organization of society.

PROSELYTE QUESTION.

The following resolution was adopted:

Resolved, That inasmuch as the so-called Abrahamitic rite is by many of the most competent rabbis no longer considered as a *conditio sine qua non* of receiving male Gentiles into the fold of Judaism, and inasmuch as a new legislation on this and kindred subjects is one of the most imperative and practical demands of our reform movement, a committee of five, one of them to be the President of the Conference, be intrusted with forming a full report, to be submitted for final action to the next Conference.

SUNDAY SERVICE.

WHEREAS, We recognize the importance of maintaining the historical Sabbath as a bond with our great past and the symbol of the unity of Judaism the world over; and,

WHEREAS, On the other hand, it can not be denied that there is a vast number of workingmen and others who, from some cause or other, are not able to attend services on the sacred day of rest; be it

Resolved, That there is nothing in the spirit of Judaism, or its laws, to prevent the introduction of Sunday services in localities where the necessity for such services appears, or is felt.

MISSION WORK.

In order to accomplish the religious, moral, social and economic elevation of the masses, who now by reason of their cramped social condition fail to be reached by our congregations and to be brought into contact with our better situated brethren, we recommend that in each congregation, or community, a society be organized to take upon itself the mission by personal efforts in the spirit of pure philanthropy to bring these under the influence of moral and religious teaching.

That as a means to accomplish this philanthropic work, it be resolved to recommend the formation of schools for the religious, moral and industrial instruction of the children of our poor.

As a means to spread the knowledge of Judaism, to strengthen its influence and to foster Jewish sentiment, we recommend that steps be taken to publish pamphlets on Jewish history and religious

and every-day life for distribution by such societies, and we appeal to our wealthy co-religionists for the support of this movement.

READING OF PENTATEUCH.

Resolved, That we recommend to each rabbi to read only such sections of the Pentateuch as he thinks proper, however according to the regulations of the Hebrew Calendar.

AMERICAN CONFERENCES.

The American Conferences, except those in Philadelphia and Pittsburg, reported above were not strictly rabbinical, as in the very first laymen were admitted, and the others were meetings of rabbis, called for a specific purpose only, to which also cantors and teachers were admitted.

The first attempt, in the year 1848, to bring together a conference of ministers and other representatives of the congregations proved a failure, notwithstanding the earnest work done by its promoters—Isaac Leeser, of Philadelphia, and Isaac M. Wise, then of Albany, N. Y.

The object of the proposed conference was to establish a union of congregations, with the purpose of establishing public institutions, such as hospitals, orphan asylums, schools and text-books. It proved a failure, and discouraged the leaders and the ardent friends of the project.

From and after August 17, 1855, a call for "the First Conference" appeared in *The Israelite*, signed by Rabbis Cohn, of Albany, N. Y.; Guinzburg and Hochheimer, of Baltimore; Illowy, of St. Louis; Kalisch, of Cleveland; Lilienthal, Wise and Rothenheim, of Cincinnati, and Merzbacher, of New York. The call invited ministers and delegates to meet in Cleveland, October 17, to deliberate on the following points: The articles of union for the American Israel in theory and practice; a plan to organize a regular synod; a plan to establish a Minhag America, ritual and liturgy; a plan to establish scholastic education in the lower and higher branches; to discuss such other propositions as should be brought before the conference.

The Conference convened on the appointed day in Cleveland; organized with Dr. Merzbacher as President; Dr. Cohn, Vice-Presi-

dent, and Dr. Lilienthal, Secretary. Among the delegates there were prominent, Mr. Greenebaum, Sr., of Chicago; Jacob L. Miller, of Cincinnati; Isaac Leeser, of Philadelphia, and Messrs. Levy and Hopferman, of Cleveland.

The two parties, conservative and reform, for a long time could not agree on the articles of union, without which no synod for the whole of the American Israel could be established, and the institutions *in spe* could not be built up. After two days of animate discussion, the Conference agreed upon the following articles of union to govern the forthcoming synod:

The Conference of the rabbis and congregational delegates, assembled in Cleveland, actuated by the earnest desire to preserve the union of Israel and its religion by a mutual understanding and union, and convinced that the organization of a synod is the most effective means to obtain this sacred aim, and whose legality and utility is taught in the Bible, Talmud and history, consider it their duty—

To convene a synod and call upon the American Jewish congregations in an extra circular to send their ministers and delegates to the said synod.

The Conference also feels obliged to give utterance to the following points, on which they unanimously agree to be the leading principles of the future synods:

1. The Bible as delivered to us by our fathers and as now in our possession is of immediate divine origin and the standard of our religion.

2. The Talmud contains the traditional, legal and logical exposition of the biblical laws, which must be expounded and practiced according to the comments of the Talmud.

3 The resolutions of a synod in accordance with the above principles are legally valid.

4. Statutes and ordinances contrary to the laws of the land are invalid.

After this agreement had been arrived at all the committees as provided for in the call were appointed, minor matters were har-

moniously discussed, and the Conference adjourned *sine die*. The committees were instructed to report to the synod next year. However, the synod never met, and so no committees reported.

After the Rabbinical Conference of Philadelphia, a meeting of rabbis was called to revise the Minhag America and to other purpose. Under the presidency of the late Rabbi Dr. Huebsch three meetings took place in 1871, respectively in Cleveland, New York and Cincinnati. The members brought up for discussion so much matter foreign to the main object of the meeting that this remained unfinished, and nothing besides the following remained of all the discussions.

1. The prayer-book published by Dr. Huebsch.

2. The amendments adopted into the second edition of the Minhag America.

3. That instead of the tri-annual cycle of reading the Thorah, a select section of each *Sidrah* as marked in the calendar should be read, as selected by the officiating rabbi.

4. That all the members of this Conference will exercise their influence to establish a union of all American congregations, and through them a rabbinical seat of learning.

A number of annual and semi-annual meetings of the Jewish Ministers' Association of America took place under the presidency of Dr. Gottheil in New York, Philadelphia and Baltimore, the proceedings of which are not collected in any book.

YEAR BOOK

OF THE

CENTRAL CONFERENCE

OF

AMERICAN RABBIS.

5652—1891-92

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SECOND ANNUAL CONVENTION.

The second annual convention of the Central Conference of American Rabbis opened its session at Baltimore in the hall of the Y. M. H. A. on Sunday, July 5, 1891, at 8:30 P. M.

Pursuant to the call of the President, Dr I. M. Wise, the Convention came to order and in the absence of Rabbi Berkowitz, of Kansas City, proceeded to elect a temporary Recording Secretary. Rabbi Charles Levi, of Cincinnati, was elected and entered at once upon his duties as Recording Secretary of the Convention. Rabbi A. Guttmacher was called upon to open the proceedings with prayer. Rabbi T. Shoenfarber then offered greetings to the Convention in behalf of the citizens of Baltimore and delivered the following address of welcome:

MR. PRESIDENT, COLLEAGUES, LADIES AND GENTLEMEN:—I greet you with warmth. I welcome you with fervor to this, our Monumental City, the metropolis of the South, the home of education and learning, the abode of men interested in the well-being of Judaism and earnest in their endeavors to rear a humanity that regards conduct and character as the highest tests of true man and womanhood. In the name of the Jewish citizens of Baltimore, I bid you a hearty welcome to all of their charitable institutions, monuments of their generous and philanthropic hearts. I bid you a thrice welcome in these, the Halls of the Young Men's Hebrew Association, an organization that seeks the physical, mental and moral betterment of its constituents, the young and rising generation. We gladly, gentlemen, give you access to our hearts, which rejoice in the fact that an opportunity is offered us to work in consonance and conjointly with such a representative gathering of Jewish wisdom and learning. And well indeed is it that our greeting and welcome be warm, for you have left your quiet homes in the most heated season of the year to enter into discussions (I trust that they will not be like the season, however well-seasoned, not over-seasoned) touching upon the

life and future potency of our dearly beloved Judaism. You have come here in the interest of that religion that has withstood all the acids that have been applied to it, in the hopes that they would have the effect of decomposing and disintegrating that prized treasure zealously guarded and earnestly watched over by its ever-faithful votaries. But no—there is no acid strong enough to dissolve the truth. Judaism's mainstay has forever been that rock. Upon this immovable basis has it reared aloft that gorgeous and useful structure wherein it to-day lives. And in that home will it forever have its abode. Storms may beat against it, fire threaten it, men do their worst to destroy it, but all the conspirings of men and the elements are but as puny efforts when directed against the impregnable and invulnerable fortress, bearing God's stamp and seal, *the truth*. You, gentlemen, are living witnesses for this averment. And to attest your firmest allegiance, and to show your strongest attachment to that old mother, who, however old, is ever young and full of life, to show your love for the mother of all religions, have you in all earnestness assembled together, ready as in days of yore, if need be, to struggle and to battle for that glorious cause, that has its roots in the remote past and of which we are the budding flower not yet full-blown. For let it be known that Judaism is not born of yesterday, nor does its history end to-day. Judaism is an historical development and it is this fact that the Central Conference of Rabbis desires to emphasize. Its purpose is not to cut itself loose entirely from the moorings of the past. For it recognizes the fact that the past is a most eloquent teacher, vocal with ideas, the highest and the purest. It is the foundation upon which the present builds. But though the past has voiced high ideals, the methods and the means employed to reach them have, in all times, been different. This, too, this Conference emphasizes and, to be in harmony with the changed condition that presents itself for its consideration, it believes that the combined wisdom of the Rabbinate of this country is better equipped for this end than the scattered opinions of individuals. However, not to check growth, as I take it, but to foster it; not to put the mind into the straight-jacket, but to give it full scope; not to set up authority, but to arrive at truth through earnest argumentation; these I take to be leading characteristics of our organization. Plainly seeing that this is a transitive period in which we are living, it is our soul's desire that we be safely landed on the opposite side, to quaff at the fount of the past, but to sip at the spring of the present and to send down these influences into the fu-

ture so that the orderly development may unceasingly go on until there may dawn upon us that future hope of gladness when the religion of catholicity will weld the human family into solidarity and all seek the one God in whom all is and who is in all, from whence all flows and to whom all returns.

It is our fond hope that the time will come when upon the broad platform of historic development all may unite. A harmonious blending of thought is sought, not through half-way compromise, but through an equable balancing of mind and heart. Our mission has undergone no change. It is still the one given to Father Abraham, "That through us all the families of the earth shall be blessed." To be true to this, our mission, we must retain our hold upon the underlying tenets of our religion, but we dare not be unmindful of the demands of the hour. These have as urgent claims upon us, if we desire to be true to our standard, as ever had the voices of our patriarchs. Those who think otherwise do not understand how to read history aught, and are not open to the lessons that nature sings so sweetly into our ears.

Both history and nature loudly proclaim in favor of development. They cast their votes on the side of an unfolding process. And those who will not listen to their clear and resonant appeals will some day learn that they have not been true devotees to their mission. As long as ceremonies that have lost all the worth that they erst streamed forth are still retained upon the curriculum and upon which a successful examination is required before one can be fully matriculated into the religion of Judaism, as long as we put up such barricades, we are standing in our own light, hampering instead of hastening the sun-lit prophecies of our seers of old. To work in line with their thought the stress must be laid upon God and a Godlike life, a life of truth, honesty, justice and righteousness. And it seems to me that toward this haven you direct your eyes. You see the tendency that spreads out before you, and which is the only safe and sure guide that will conduct Judaism upon the heights destined for it, and you will dower that tendency with all the strength and the power that within you lies, so that it reach its promised pinnacle; and reach it it will and must if the truth is ever to be placed upon the throne instead of upon the scaffold. The religion of rationality is destined to become the religion of the world in the fullness of time, and whatever militates against reason must needs find its place upon the alcove of antiquities, viewed in the light of curiosities. Gentlemen, you build upon the postulates of reason, hence in the interest

of Judaism, that high-towering oak that defies time and the elements. You have come here in the cause of the truth, to proclaim again to the world that the Father of all mankind lives and is directing the destinies of this infinite and intricate machine, the universe. You have come here to build up an historical Judaism, to unite, if possible, upon one platform all the differing opinions among the adherents of our fold You have come here to discuss subjects of rival import to the present well-being and the future life of our cherished cause. You have come here to call the attention of the people to our world-embracing mission, to announce from this rostrum that though Judaism be diverged in form, it is one in spirit. You have come here to declare that Judaism lives and to attest its vitalizing power, that it is destined yet to become the universal religion, because of the elements of catholicity that are its soul. You have come here, as citizens of this free land, to thank the Eternal Father of us all for the blessings here enjoyed and to attest your fealty to our country's flag, the glorious stars and stripes. Coming here in this spirit and with these noble ends in view, it is but meet and proper that we welcome you with a full heart and with all our soul. And feel assured that we do, and we trust at the same time that your purpose will be crowned with fulfillment and that God may prosper your work to this and to the credit of humanity.

Thereupon Dr. I. M. Wise, President of the Conference, responded to these greetings and delivered his second annual address as follows:

COLLEAGUES, FRIENDS, BRETHREN:—It was one of the sacred bards who said: "I will speak of thy testimonies before kings and will not be ashamed" (Psalms cix. 46),

ואדברה בעדתיך נגד מלכים ולא אבוש

and I am aware that this guided the prophets and should be canon to every upright and faithful Israelite. Yet I feel some hesitancy to rise in this august assembly—מאן מלכי רבנן—and exercise the privilege of first spokesman; to which nothing entitles me besides your choice in placing me at the head of this Central Conference of American Rabbis, and the despot custom which ordains that the presiding officer open the meeting with some kind of an address. All of you almost continually move in ideal spheres, spin and weave the golden garbs of ethical thought with the artistical

apparatus of logic, the flowers and arabesques of religious sentiments; what could I add? You have been prayed for so devoutly, you have been welcomed so eloquently and cordially to this city and this hall by the two colleagues preceding me—what is left for me? I might, as usual on such occasions, laud you, speak of the excellency of this august assembly and its world-redeeming mission, if Rabbi Chanina of old (ההוא דנחית קמיה ר' חנינא וג') had not suggested its impropriety and another rabbi had not laid down the rule מקצת שבחו של אדם בפניו וג' אומרים, which, according to Rabbi Chanina, might be an insult to you.

It is true that this is a great day, a holy day, when the sages and the shepherds of Israel meet in solemn convocation, to reflect and consider unitedly the sublime problems of Israel's sacred heritage. It is a day which the last of the prophets foresaw, when he said, אז נדברו יראי יי וג' "Then they that fear the Lord speak freely one to another: and the Lord hearkeneth and heareth it, and a book of remembrance is written before him for them that fear the Lord and that think upon his name. And they shall be mine, saith the Lord of hosts, on the day when I make up my jewels," etc (Malachi iii. 16.) This undoubtedly refers to the Great Synod of which the prophet was a member. It refers to all synods or conferences of God-fearing men, whose object it is to continue the historical development of Judaism in consonance with the just demands of every respective age. It is the prophetical sanction to synodical work to be inscribed in the "Book of Remembrance" for generations to come, upon which no less than upon Deut. xvii. 8, the ancient expounders of the Law based the authority of the Synhedrion, every *Beth Din* in its respective generation, which goes so far, as recorded in the Talmud, יש כיח ביד בית דין לעקור דבר מן התורה בשב ואל תעשה to enact new laws (תקנות, סיגים, גזירות) and to amend or repeal temporarily even laws of Moses.* this is the legal foundation of historical development in Judaism.

As you, brethren and colleagues, are undoubtedly שופט שבימיך the authority of these days, you are assembled to-day under the same authority, with the same duties to perform and the same work to accomplish which the prophet mapped out for every synod or conference of Israel's teachers and savants in conference united. You have come from far and nigh to co-operate with your brethren in this ideal cause which promises no material remuneration; you are here from far and nigh to advance the cause of Israel, to continue

*A further exposition of this doctrine will be given in the Year Book.

lawfully the historical development of Judaism, to concentrate the intelligence and energy of American Judaism in the focus of progress, for preservation, enlightenment, humanism and freedom. Is this not a holy day, a memorable day, a red-letter day in our calendar? and is there not plenty of reason for praising you and lauding you, who did come hither? You might argue: I confess that this is a holy day, a veritable יום טוב to me as well as to you, to us as well as to every one (ירא יי) who fears the Lord and is in full sympathy with our sacred cause. And yet I dare not praise you, friends, as you can read in every one of our old prayer-books, God preserve them. It is a *Yom tob shechal liheyoth bechol*, and then we must not say הכל יודוך יהכל ישבחוך We are yet in the *Chol*-condition, in a state of infancy, in numbers incomplete, in attendance unsatisfactory, and in authority too recent to be acknowledged and generally respected. It requires time, zeal, labor and consistency to establish the authority of a *Beth Din*.

As I with the best will according to the Talmud must not laud you, not even according to the good old prayer-book, and the reverend colleagues preceding me skimmed my subject, leaving to me the skimmed milk—which may be sour—and according to custom, I must say something—I will speak business.

THE MEMBERSHIP.

The Association of the Central Conference of American Rabbis, with the members elected this year by the Executive Committee, reaches close to one hundred (מאה רבנים), all gentlemen well situated in American congregations, with the exception of one located in Canada, and one in Curacao, West Indies. The prospect of uniting in this body the majority of American rabbis is very good, and may be realized in a very short time. The object, however, is to unite all that agree with us in principle, as laid down clearly and distinctly in the first Year Book. We must have peace in our midst. Nor can we, as men of principle, enter upon any compromise to please this or that party. To us, as to our ancestors, it is a fundamental rule (מנהג ישראל תורה), "whatever custom or observance has grown out of Israel is law," and such is now the case with the synagogal institutions, reforms and improvements all over the land; such is also the case with a number of observances in everyday life, which have fallen by disuse as גזירה שלא פשטה customs no longer. We can not afford to open discussion on that which is no more. Nor can we unite with those who place themselves above or

beyond their colleagues, to be exclusive authority in their respective spheres, as we are no better than the fathers who held (אל תהי דן יחידי) that the one man's authority is the first step to man worship, so foreign and intolerable to Judaism. We want to unite all *Gesinnungsgenossen* who are willing to work in harmony with all on the development, progress and elevation of American Judaism. Whenever all these brethren and colleagues will be united in this body we are the American *Beth Din*, with all the duties, rights and privileges which the ancient expounders of the law secure to the *Beth Din*.

HONORARY MEMBERS.

Permit me, gentlemen, in this connection, to call your attention to Article II., Section 2 of your laws (Year Book, p. 23), and the resolution (Year Book, p. 4) in regard to honorary members. None have been and none can be elected except by the Conference. It seems to me advisable to elect some from the midst of those "who have rendered important practical services in the cause of Judaism," to which I must refer further on; and from the class of those to whom the resolution refers in the words, "all authors of eminent books on any subject appertaining to Jewish theology or literature," to whom I take the liberty to refer now, and mention the names of Rabbi Liebman Adler, the Rev. Dr. Felsenthal, of Chicago, and the Rev. Dr. Mendelssohn, of Wilmington, N. C., who has published lately his book, "The Criminal Jurisprudence of the Ancient Hebrews." It seems to me fair and advisable that the Conference recognize honorably literati in our field, and thus demonstrate that the advancement of scholarship and literary productiveness are main objects of our code of duties.

THE FINANCES.

The financial condition of the Conference is satisfactory. There is now in the hands of your honorable Treasurer, the Rev. Dr. Hahn, of Cleveland, the sum of $300, and all obligations of the body have been promptly met.

In connection therewith permit me to remind you of Art. V. of your constitution (Y. B. p. 34):

"In order to prevent an unfortunate colleague or his family from becoming humiliated as objects of charity, one-half of the annual dues of each member, being $2.50, shall be set aside as a fund to be designated 'Relief Fund of the Conference,' to be used only for the object named, and to be disbursed by the Executive Committee."

Provision must be made to govern this fund, and a committee appointed by this Conference to propose such provisions, embracing especially the following points:

1. What should be done to bring this very important charity properly before the public, and to interest in it the benevolent and beneficent men and women within our reach? Without the aid of the public this "Relief Fund" will be a small affair for many years to come, and your Executive Committee will not be liable to offer much relief to any "unfortunate colleague or his family," although cases of this kind may turn up daily.

2. To what sum must this fund accumulate before any part of it can be disbursed for its legitimate purpose?

3. How and by whom shall this accumulated fund be secured and held? It must evidently be in the hands of trustees and kept separately from the general fund of the Conference, as your Executive Committee is charged only with the duty of disbursing it.

4. Where should this "Relief Fund" be legally chartered, and under what name?

THE YEAR BOOK.

Another very important object of the Conference is its annual publication, the Year Book, the first of which is in your hands, and its appears to me a decided success, a highly useful contribution to every rabbi's library. It furnishes him not only with the transactions of this reverend body and the papers read in the Conference, but also with the transactions of Conferences and Synods of our century in France, Germany and America, important documents which hitherto did not exist in the English language, and were not compiled in one volume in any other language. This latter part of the work was done by Dr. Grossmann, of Detroit; Dr. Schwab, of St. Joseph; Dr. Schreiber, of Little Rock, and others who deserve the thanks of this Conference. The whole was edited and published by your Hon. Secretary, Dr. Philipson, who certainly deserves honorable mention.

This work, however, is not complete. It must be supplemented in the next Year Book. There is missing in it:

1. A general history of Conferences and Synods among our people, which Dr. Hahn promised to furnish.

2. An abstract of the transactions of the Ministers' Association of New York and vicinity.

3. An abstract of the transactions of the Conferences of the Southern rabbis.

Committees should be appointed to furnish those abstracts for the next Year Book.

THE REV. DR. SAMUEL ADLER.

And now the melancholy duty devolves upon your acting President to announce to you the demise of your honorary President, the Rev. Dr. Samuel Adler, of New York, who was summoned לישיבה של מעלה to his seat among the great and good teachers in Israel that abide in life eternal. The ninth day of June, at his residence, surrounded by his family and nearest kin, in the eighty-second year of his mundane sojourn, that eminent rabbi in Israel, peacefully and quietly as he always lived, passed away from this sublunary world in the fear of the Lord; pure, true and wise. A cedar of Lebanon was transplanted from the lowly soil to the Paradisian region of that higher life, where the lustre of the Shechinah shines in refulgent glory and unalloyed bliss to the returning banner-bearer of truth and righteousness, returning triumphantly from the battle field of life, and Seraphs greet the liberated soul in the words of Holy Writ, שכרך הרבה מאד "Thy reward is exceedingly great." I have discharged the painful duty of announcing to you

ושמואל שוכב בהיכל יי

I call on the special friend and kinsman of the deceased, the Rev. Dr. Mayer, of Pittsburg, to continue the eulogium, and close with the prayer:

שלח אורך ואמתך המה ינחוני יביאוני אל הר קדשך ואל משכנותך.
(Psalms xliii. 3.)

The following members were noted present: Dr. I. M Wise, Cincinnati; Dr. M. Mielziner, Cincinnati; Dr. David Philipson, Cincinnati; Rabbi David Davidson, Cincinnati; Rabbi Charles Levi, Cincinnati; Rabbi A. Geismar, Columbus; Rev. M. Faber, Titusville, Pa.; Rev. L. Reich, Atlanta, Ga.; Dr. L. Mayer, Pittsburg; Dr. Max Landsberg, Rochester; Dr. S. Sale, St. Louis; Dr. L. Grossman, Detroit; Dr. Schlesinger, Albany; Dr. I. S. Moses, Chicago, Ill.; Dr. I. L. Leucht, New Orleans; Dr. Joseph Silverman, New York; Rev. Wintner, Brooklyn; Rev. Wm. Sparger, New York; Rabbi T. Shanfarber, Baltimore; Dr. Aaron, Buffalo; Dr. Max Heller, New Orleans; Rabbi Israel Joseph, Wilkesbarre, Pa.; Rabbi Charles Rubenstein, Little Rock; Rabbi S Greenfield, Peoria, Ill.; Rabbi S. Hirschberg,

Ft. Wayne, Ind.; Rev. A. Jacobi; Rev. Lowenberg, Scranton, Pa.; Rev. H. M. Bien, Vicksburg; Rabbi M. Gries, Chattanooga; Rabbi Wm. Friedman, Denver; Rabbi Wm. Rosenau, Omaha; Rabbi M. Sessler, Providence; Dr. Willner, Houston, Texas; Rabbi D. Feuerlicht, Hamilton, O.; Rev. Meyerberg, South Carolina; Rabbi I. Rubenstein, Springfield, Ill.; Rabbi Rudolph Grossman, New York; Rabbi I. L. Rypins, Evansville, Ind.; Rabbi S. Hecht, Milwaukee.

Dr. M. Mayer continued the eulogy with which the President's Message closed and delivered a memorial oration on the life and services of Dr. Samuel Adler, Rabbi Emeritus of Temple Emanuel, New York, and Honorary President of the Central Conference of American Rabbis. (See Appendix A.)

Dr. M. Mielziner then moved and the motion was unanimously carried, that a committee of three be appointed to draft resolutions on the demise of the Honorary President, Dr. Samuel Adler, which committee shall report at the next session of the Conference. Dr. Mielziner, Dr. Silverman and Dr. Hecht were appointed by the Chair.

It was then moved and seconded that the President's "Annual Message" be received and a committee appointed to consider the various suggestions of the same and report at the morning session. Carried. The Chair then appointed Dr M. Heller, Dr. I. S. Moses and Rabbi A. Guttmacher as the committee.

The Rev. Dr. Silverman, of New York, was then accorded the privilege of addressing the Conference. As a representative of the Jewish Ministers' Association of America he extended fraternal greetings in behalf of that association and suggested the possibility of the union of the two bodies. It was then moved and seconded that the fraternal greetings of the Jewish Ministers' Association of America be heartily received. Carried. After an extended discussion of the true intent and significance of the message, the Rev. Drs. Silverman, Leucht and Mayer were, on motion, instructed as a committee to formulate the sentiments and attitude of the Central Conference toward the Jewish Ministers' Association.

The following order of business established by the Executive Board was then unanimously adopted:

MONDAY—MORNING SESSION.

Opening Prayer, Rabbi Moses Gries, Chattanooga; Reports of Officers of the Executive Committee, of Ritual and Sabbath School Committees, of Committees on Memorial Resolutions and President's Address. Papers on מילת נרים to be read by the Rev. Drs. Berkowitz, Schwab, Hahn and Machol.

AFTERNOON SESSION.

Report of Rabbinical Conferences prior to the nineteenth century; "Funeral Agenda," by Rabbi J. Stolz, of Chicago; "Cremation from the Jewish Standpoint," by Dr. Schlesinger, of Albany, N. Y.; "Motions and Resolutions."

EVENING SESSION.

"Conference Sermon," by Dr. M. Heller; "Judaism and the Republic," by Dr. D. Philipson.

The Conference then adjourned to reassemble again Monday morning at 8:30 o'clock.

SECOND SESSION.

Y. M. H. A. HALL,
BALTIMORE, July 6, 1891.

The Conference was called to order at 8:30 Monday morning and promptly proceeded to take up the regular order of business. Prayer was offered by Rabbi M. Gries. The minutes of the first session were read and approved. Rabbi T. Shanfarber announced that the evening session would be held in Har Sinai Temple.

Committee on President's Address reported as follows, which report was received, amended and then adopted after *seriatim* reading:

GENTLEMEN:—Your Committee to whom was referred the President's Report beg leave to submit the following recommendations:

1. That the Rev. Dr. Liebman Adler, of Chicago, and the Rev. Dr. Felsenthal, of Chicago, be elected honorary members of our Conference. We do not deem it advisable to recommend for honorary membership any officiating rabbi, however great his literary

and scholarly attainments, in order not to deprive ourselves of a large number of active members.

Accepted as read.

2. We recommend the appointment of a committee of three from the Executive Board of the Conference, who shall be vested with the power to dispose of the fund, set aside for the relief of superannuated ministers, at their discretion.

This was amended as follows and then adopted:

2. We recommend the appointment of a board of three trustees from the Executive Board of this Conference, who shall be empowered to take charge of the fund set aside for the relief of superannuated ministers.

3. Your committee would recommend that the suggestion of the President as to the missing historical references to transactions of previous Conferences be accepted and that the forthcoming Year Book contain—

(*a*) A general history of conferences and synods among our people.

(*b*) An extract of the transactions of the Ministers' Conferences of the Eastern and Southern Rabbis.

Respectfully submitted,

A. GUTTMACHER,
M. HELLER,
I. S. MOSES,
Committee.

Section 3 was adopted as read.

A motion was then made that the President appoint three trustees from the Executive Committee of the Conference to take charge of the fund for superannuated ministers.

The Rev. Dr. Leucht, of New Orleans, was commissioned by the Chair to abstract proceedings of the Southern Rabbinical Conferences for the forthcoming Year Book.

Dr. Joseph Silverman was commissioned by the President to make abstracts of the proceedings of the Jewish Ministers' Association of America for the ensuing Year Book of the Central Conference. The gentlemen appointed expressed their willingness to do so.

The Committee on Sabbath Schools, through its Chairman, reported that the identical work assigned them has been undertaken by the Sabbath School Union, and that accordingly nothing had been done, as the committee would not anticipate the report of the

Sabbath School Union. The report was received and the committee released from duty.

The Rev. Dr. Sonneschein, chairman of the Ritual Committee which was to submit to this Conference material for a Union Prayer Book, sent a communication regretting his inability to be present.

There being no formulated report of the Ritual Committee, Dr. Philipson moved that a substitute report, which the committee had prepared, be submitted and read. The motion to this effect prevailed and the following outline of Prayer-book was placed before the Conference:

PLAN OF PRAYER BOOK.

I. SABBATH EVE.

1. Introductory Mismor Shir and Hymn.
2. Borchu and Benedictions (English version).
3. Sh'ma, ve-ohavto, Emeth ve-emunah (English version).
4. Mi chomocho, Choir and Congregation.
5. Prayer.
6. Ve-shomru (closing with le-olom), Choir and Congregation.
7. Birchath sheba (English version).
8. Hymn.
9. Kaddish with Introduction.
10. Olenu (English version) and Hymn.

II. SABBATH MORNING.

(Three Orders.)

1. Introductory Psalm, verses and Hymn.
2. Nishmath (English version).
3. Hymn.
4. Borchu and Benedictions (English version).
5. Sh'ma, ve-ohavto, Emeth ve-yatziv (English version), Choir and Congregation.
6. Birchath sheba and kedusha (English version with Original Meditation).
7. K'riyath ha-thorah Service. (See Appendix A.)
8. Psalm (Responses).
9. Hymn.
10. Sermon.
11. Kaddish with Introduction.
12. Olenu (English version).
13. Hymn.
14. Benediction.

APPENDIX A.

READING THE THORAH.

1. En Komocho. Choir.
2. Isaiah: chapter 2, verses 2, 3 (English), closing with Kimizion. Choir.
3. Invocation (adapted from B'rich Sh'me and closing with Organ Interlude).
4. Scripture-reading (Hebrew and English).
5. Psalms xix., verses 8, 10. Closing with Ez Chayim. Choir.

III. EREV ROSH-HASHONAH.

1. Introductory Psalm, Verses and Hymn.
2. Borchu and Benedictions (English version).
3. Sh'ma, ve-ohavto, Emeth ve-emunah (English version).
4. Mi chomocho. Choir and Congregation.
5. Prayer.
6. Psalms, chapter lxxxi., verses 2, 4, closing with Thik'u bachodesh. Choir
7. Birchath Sheba with u-b'chen ten (English version).
8. Hymn and Sermon.
9. Kaddish with Introduction.
10. Olenu and Hymn.

IV. ROSH-HASHONAH MORNING.

1. Introductory Psalm, Verses and Hymn.
2. Nishmath (English version).
3. Hymn.
4. Borchu and Benedictions (English version).
5. Sh'ma, ve-ohavto, Emeth ve-yatziv.
6. Birchath Sheba with u-v'chen then and Kedusha (English version).
7. Attou Socher (Meditation, English version).
8. K'riyath ha-thorah Service.
9. Rejoicing Service (Theruath-Shofar). (See Appendix B).
10. Sermon.
11. Kaddish with Introduction.
12. Olenu (English version).
13. Hymn.
14. Benediction.

APPENDIX B.

Laid over for next meeting.

Yom Kippur Eve,
" " Day,
Haskaroth N'shamoth,
} Service.

Laid over for next meeting.

DISTRIBUTION OF WORK.

1. The Editing of the Hebrew Text and Week-day Service. A. Moses, Sonneschein, Mayer.

2. Sabbath Service, Eve and Morning (Three Orders)—Holidays: Regalim, Eve and Morning—Rosh ha-shonah, Eve and Morning. Sonneschein, Sale, Berkowitz, Grossman.

3. Yom Kippur Eve and Day Haskaroth Neshamoth. Landsberg, Philipson, Berkowitz, Grossman, Machol.

4. The Rituals for Wedding, Confirmation, Burial, Jahrzeit, Haggadah, Chanuccah. Sale, Sonneschein, Levy, Machol.

5. Hymns and Select Readings for Yom Kippur. Mayer, Levy, Berkowitz, Philipson.

Dr. I. S. Moses called the attention of the Conference to the fact that he had prepared a sketch Prayer-book which he was ready to submit to the Conference with its ample material for a Union Prayer-book.

Whereupon a motion was made and seconded that the substitute report of the Ritual Committee be referred back, with added instructions to take into consideration, as an intelligent working basis the material for Prayer-book furnished by Dr. I. S. Moses.

Rabbi Gries offered as an amendment, that the old committee of ten be discharged and a new committee of five be appointed.

A second amendment was offered that the new committee submit their plan within the present session.

A motion to table the whole matter was lost. Whereupon debate was opened and the speakers each limited to five minutes.

An extended discussion ensued, participated in by many of the rabbis present. Action on the amendments was then taken. The second amendment, that the committee report its plan of action to present conference, was lost. The amendment of Rabbi Gries, that the old committee be discharged and a new one of five members be appointed, was unanimously carried and the President announced the dissolution of the committee of ten. The original motion as amended was then carried and reads as follows:

Resolved, That the substitute reports of the Ritual Committee be referred to a new committee of five to be appointed during the present conference, with instructions to take into consideration as an intelligent working basis the sketch-book of prayers furnished by Dr. I. S. Moses.

The following were appointed as the Ritual Committee: Rev. Dr. M. Mielziner, of Cincinnati; Dr. Sale, of St. Louis; Dr. Leucht, of New Orleans; Dr. Max Heller, of New Orleans; Rev. S. Mannheimer, of Cincinnati.

It was the sense of the Conference that the Ritual Committee take into consideration all Jewish prayer-books issued by the eminent rabbis of Europe and America.

On motion, the Committee were empowered to add to their number by a majority vote.

Telegrams, greetings, letters of regret and other communications were received from the following: Rabbi Joseph Stolz, Chicago; Rev. D. Epstein, Ligonier, Ind.; Dr. H. Berkowitz, Kansas City; Rev. Israel Heinberg, Monroe, La; Dr. A. Hahn, Cleveland; Rev. A. Shapiro, Portsmouth, O.; Dr. Samfield, Memphis, Tenn.

Dr. Hahn, Treasurer of the Central Conference of American Rabbis, submitted the following report and communication:

To the President and Members of the Central Conference of American Rabbis in session in Baltimore:

GENTLEMEN:—I am very sorry that I can not be with you, but I assure you my heart and mind take the liveliest interest in all your deliberations and work.

In my capacity as your Treasurer, allow me to state that when last year's Conference closed, there was in my possession $363 54

The interest January 1, 1891, amounted to	6 90
Dr. Philipson, May, 1891	85 00
Rev. Epstine, Quincy, Ill.	5 00
Rev. Geismar, Columbus, O	10 00
Rev. Elkin, Salt Lake City	5 00
Rev. Schreiber, Portsmouth, O	5 00
Rev. L. Strauss, Gainsville, Texas	5 00

Rev. Dr. Machol, Cleveland, O.	$ 5 00
My own dues	5 00
	$494 95
Paid to Dr. Schreiber, Little Rock	7 60
Messrs. Bloch & Co., Cincinnati, for printing	174 02
In my possession	$313 33

I hereby certify that by July 3, 1891, there have been in my possession $313.33 of your money. I think everything is correct, but should there be a mistake somewhere, I shall always be only too happy to have it corrected.

Mr. President and members of the Central Conference, allow me to thank you hereby for the confidence you have put in me as your treasurer, and also for the honor you have thereby shown me, but at the same time I should be very glad if you would kindly appoint somebody else for that office. I have been two years enjoying the benefits of this sinecure, let now somebody else have the pleasure and honor.

Allow me to further remark that I was appointed about two months ago, when in Cincinnati, to write an article on the Milath Gerim to be read in your Conference in Baltimore. I am extremely sorry that I can not be there to read it myself, but I sent it to the Rev. Dr. I. M. Wise, our worthy President, and he will kindly lay it before you.

I was also requested, when in Cincinnati two months ago, to write for the next annual of the Central Conference, an essay on "The Rabbinical Conference Prior to the Nineteenth Century." I have done so, but do not send the manuscript to Baltimore, for the following reasons: 1. It is a very lengthy article and would be unpleasant for anybody to read at this hot season of the year. 2. I have written it from a historical standpoint in a manner which precludes debate on the topic. There is no room for debate on a fact of history. 3. I shall send it to the committee, and with their approval, if it is your pleasure, it may be published.

Dear President and Colleagues of the Central Conference, I repeat that I feel very sorry at being unable to be with you, but I assure you I shall always be found most faithful, most ready and most willing to serve the cause and best interest of the Central Conference. Most respectfully yours,

CLEVELAND, O., July 3, 1891. AARON HAHN.

On motion, the Treasurer's report was accepted and approved.

The paper of Rabbi Jos. Stolz on Funeral Agenda was not presented owing to the absence of the author. The following communication, however, was received and after reading was referred to the Committee on Ritual:

CHICAGO, July 2, 1891.

Dr. D. Philipson, Secretary Central Conference :

MY DEAR FRIEND :—Presumably it was expected of me to prepare the "Funeral Agenda" for this session of the Conference. This subject has taken a very wide scope in my hands, embracing a domestic service as well as a large number of prayers for all possible occasions, Scriptural and Talmudical selections, etc., as well as a historical treatment of the subject

In a subject of this kind there is always room for revision and addition, and I do not feel that the material is as yet in such a shape that I would want a stranger to read and interpret it before a Conference of scholars, and to my great regret circumstances are such this year that it is impossible for me to attend the meeting at Baltimore. However, I send my cordial greetings to all and hope that your meetings will result in lasting good to the cause of Judaism.

With my best wishes to Dr. Wise, yourself and all our friends, I remain, Yours Fraternally, JOSEPH STOLZ.

A communication from the Rev. S. Mannheimer was read, and, on motion, referred to the Committee on Ritual. The following is the communication :

CINCINNATI, O., July 5, 1891.

To the President and Members of the Central Conference of American Rabbis convened in Baltimore :

GENTLEMEN :—To foster and strengthen union and harmony, both in spirit and form, among the confessors of Judaism in America, is one of the main objects of our organization, as it was manifested by addresses, discussions and resolutions in the second convention held at Cleveland from July 13th to July 16, 1890. All those present deeply felt the necessity of united action in order to rally the members of the Jewish community around the old, venerable banner showing to the world the lofty, salutary principles of our faith. When, therefore, five motions independent of one another, i. e., without preconcerted action of their authors, were submitted to the convention, for the purpose of composing a Union Ritual for public and domestic worship, they met with unanimous and cheerful consent. The fact that three of the movers were themselves compilers of rituals and for the common cause unselfishly waived the material interests of their authorship was applauded with enthusiasm. The five motions were welded into one, which was readily accepted by the Conference. (See page 29 of the Year Book.)

I hope that in strict conformity with the letter and spirit of the resolutions the Committee will lay before you the united work of wisdom, experience and devotion, and that by adopting it you will succeed in satisfying the demands and desires of our congregations.

As circumstances prevent me from attending this meeting, I take the liberty of making some suggestions, which I submit to your kind consideration.

The various sets of rituals for Sabbaths and Holidays should be contained in the same book, which, whenever feasible, should be an amalgamation of the different prayer-books extant. Around the most essential, traditional, time-hallowed Hebrew elements should be grouped English prayers, meditations, psalms and similar appropriate passages from other books of the Bible and selections from other works of edification. Each set should be complete in itself, so that the worshipers be spared the annoyance of hunting up the component parts in different places, which, as experience shows us, so greatly disturbs the devotion. To prevent the occupants of the pews from being listless hearers or spectators, care should be taken to have them participate in the services, both in responses and in the singing of hymns and psalms.

I propose that the Marriage Agenda suggested by Dr. M. Mielziner and the Confirmation Agenda suggested by Dr. D. Philipson be included in this book. As time proceeds, the number of sets for Sabbaths and Holidays may be increased and embodied in later editions of the Union Ritual.

The musical element of the services should also form an essential part of this Ritual. The beautiful traditional melodies which our great composers have piously preserved, never fail to touch a chord in our hearts and to arouse our religious feelings. A collection of these melodies and other compositions should be arranged in conformity with the Ritual, so that the whole Temple service may become a unit.

Such a Ritual emanating from the authority of the Conference will be hailed with delight by our Reform Congregations and awaken them from the lethargy and indifference which heretofore prevailed in our public worship.

Gentlemen, I wish you a hearty Godspeed and hope that your earnest efforts will redound to the honor and welfare of Judaism and to the perpetuation of its sublime ideals. Sending you my cordial greetings, I remain, Yours Fraternally,

S. Mannheimer.

The proceedings were interrupted to listen to an announcement of Rabbi Shanfarber, who extended the hospitality of the citizens of Baltimore to the Conference and invited them to participate in the carriage drive and boat ride arranged for the following days.

The invitation was received with applause.

The meeting then took a recess until 2 : 30 P. M.

AFTERNOON SESSION.

BALTIMORE, July 6, 1891.

The adjourned session assembled promptly and proceeded to the order of business.

The Rev. Dr. Schlesinger, of Albany, N. Y., read a paper on "Cremation from the Jewish Standpoint." (See Appendix B.)

Rabbi I. L. Leucht then offered a resolution that the Conference declare that cremation is not opposed to the spirit of the Jewish religion. Dr. Mielziner amended this, to the effect that Dr. Schlesinger's paper on "Cremation" be referred to a committee of five to report at the next Conference whether or not cremation is in accord with the spirit of Judaism. Carried.

The report of the Committee on Greetings of the Jewish Ministers' Association of America was presented by Rabbi I. L. Leucht. On motion, the report was received and the resolutions taken up one by one. After discussion of the committee's report, the following was adopted:

Resolved, That the Central Conference of American Rabbis heartily reciprocates the fraternal greetings of the Jewish Ministers' Association of America.

Resolved, That this resolution of the Central Conference of American Rabbis be transmitted by our secretary to the Secretary of the Jewish Ministers' Association of America.

I. L. LEUCHT,
JOSEPH SILVERMAN,
L. MAYER,
Committee.

The committee appointed to frame suitable resolutions on the death of our honorary President, the Rev. Dr. Samuel Adler, submitted the following, which was unanimously adopted by a rising vote:

CENTRAL CONFERENCE,
BALTIMORE, July 6, 1891—5651.

The Central Conference of American Rabbis in annual Convention assembled having learned with profound regret of the demise of their honorary President, in his 82d year, the Rev. Dr Samuel Adler, of New York, herewith desire to express their sentiments at the loss sustained, and to add a just tribute to his memory.

Full of years and honors, our late lamented honorary President has been called to his reward in the realms of eternity, and we sincerely mourn in him the loss of an upright man, a conscientious Israelite, a defender of Judaism, a profound scholar, an efficient teacher of truth, a friend of humanity.

We recognize in the late Rev. Dr. Samuel Adler an intrepid leader, who, by virtue of his superior intellectual and moral qualifications, beneficially affected the cause of progressive Judaism, both in Europe and in this, the land of his adoption

In him we found personified, modesty of life, singleness of purpose, fearlessness in action, and gentleness of disposition, traits which constitute true greatness. In his works, both by word and pen, he has rendered valuable services to the cause of humanity, and by them has erected for himself a monument which time can never efface.

We bow in resignation to the will of the Supreme Arbiter of life and death, and sincerely condole with the bereaved family. We thank God that in his mercy he has granted us the blessings of such a noble, useful and stainless life. The Lord has given: the Lord has taken. Blessed be his name.

Resolved, That this expression of our sympathy be spread upon the records of this Central Conference of American Rabbis, that a copy thereof be transmitted to the family of the deceased Rev. Dr. Samuel Adler, and published in the Jewish Press of America.

DR. M. MIELZINER,
DR. JOS. SILVERMAN,
DR. S. HECHT,
Committee.

The Secretary was notified to carry out the instructions of the resolutions.

Communication was received from Rabbi Berkowitz setting forth his position on the question of the circumcision of proselytes, in which he offers to place at the disposal of the Conference all his material collected on this important subject. The following is the communication:

JUNE 15, 1891.

Rev. Dr. David Philipson, Corresponding Secretary Conference of American Rabbis, Cincinnati, O.:

DEAR SIR AND COLLEAGUE:—In reply to your official invitation asking me to read a paper at the coming Baltimore Conference on מילת גרים I beg leave to say that to my regret circumstances will prevent my attendance and my compliance with the request of the Executive Committee.

Moreover, I have already taken a positive stand on the question to be debated, having *acted* in the matter as my convictions prompted me after earnest study and consultation with colleagues older in years and in experience. I should be placing myself in a totally false position were I now, at this late hour, to present this subject to the Conference as if seeking approbation for that which I have already done. I shall be happy to have a clear and unequivocal expression of their convictions from the members of the Conference, which if it be desired, is welcome to all that material on this theme which I possess, and which I have gathered with great care.

Fraternally yours, H. BERKOWITZ.

The Temporary Secretary then read the papers of Dr. Hahn, of Cleveland, and of Dr. Schwab, of St. Joseph, Mo., on the "Admission of Gentile Converts to Judaism." (See Appendix E.)

On motion, both papers were referred to a special committee of five to report to the Executive Board as soon as possible.

It was furthermore moved that the letters and papers of Rabbi H. Berkowitz be accepted and given over to the same committee to make extracts pro and con from the voluminous correspondence. Carried. (See Appendix E.)

Dr. Jos. Silverman then invited the Conference to hold its next annual meeting in New York City.

Dr. Landsberg urged his claims in behalf of Rochester. By majority vote the invitation of Dr. J. Silverman was accepted, and it was resolved that the next annual Conference convene in New York City.

It was then moved and seconded that a committee of three on nominations for officers and the Executive Committee of the Conference for the ensuing year be appointed to retire and bring in an immediate report.

The Chair appoints as the Committee on Nominations Dr. Jos. Silverman, Dr. L. Mayer and Rabbi Bien, and the committee retired.

An error being reported by Dr. M. Mielziner in the abstract of the Proceedings of Sanhedrin in Paris, the same was ordered corrected in the new Year Book of the Conference.

The Committee through its chairman, Dr. J. Silverman, reported the following list of nominations. The report was accepted, and the

Secretary ordered to cast the ballot for the nominees in behalf of the members of the Conference.

Rabbis Gries and Feuerlicht were appointed tellers, and the President announced the following officers duly qualified and elected for the ensuing year:

President, the Rev. Dr. I. M. Wise, Cincinnati; Vice-President, the Rev. Dr. Max Landsberg, Rochester, N. Y.; Treasurer, the Rev. Dr. I. L. Leucht, New Orleans; Recording Secretary, Rabbi Charles Levi, Cincinnati; Corresponding Secretary, the Rev. Dr. David Philipson, Cincinnati; Executive Committee, the Rev. Drs. M. Mielziner, Jos. Silverman, S. Sale, A. Hahn, Schlesinger and I. S. Moses. The meeting then adjourned to reconvene again at Har Sinai Temple at 8 o'clock P. M.

LAST SESSION.

HAR SINAI TEMPLE,
BALTIMORE, July 6, 1891.

The night session of the Conference was opened with prayer by Rabbi Wm. Rosenau, of Omaha, after which the Conference sermon was preached by Dr. Max Heller, of New Orleans. (See Appendix C.)

Dr. David Philipson then delivered an address on "Judaism and the Republican Form of Government." (See Appendix D.)

The following committees were then announced:

Ritual Committee—Drs. Mielziner, Sale, Leucht, Heller, Mannheimer.

Committee on Cremation—Drs. I. S. Moses, Stolz, Felsenthal, Liebman Adler, Hecht.

Committee on "Milath Gerim"—Drs. A. J. Moses, Landsberg, I. M. Wise.

Trustees for Superannuated Ministers' Fund—Drs. I. M. Wise, D. Philipson and Rabbi Charles Levi.

Telegrams of fraternal greetings from Rabbis Stolz and Samfield were warmly received.

A vote of thanks was heartily tendered Congregation Har Sinai and the citizens of Baltimore, and the Young Men's Hebrew Associations, and the secular press for their kind treatment and generous hospitality. Rabbi I. L. Leucht arose and carrying out the instruction of his colleagues conveyed to the venerable President, Dr. I. M. Wise, the sincere thanks and admiration of the rabbis for the genial good will and courteous treatment accorded the Conference during the trying moments of debate.

Dr. Wise responded most graciously to this renewed token of esteem on the part of his associates, and in most befitting terms declared the second council of the Central Conference of American Rabbis duly closed. The meeting adjourned to meet again, pursuant to the call of the Executive Committee, in New York City.

CHARLES LEVI,
Secretary pro tem.

[APPENDIX A.]

EULOGY ON THE LATE DR. SAMUEL ADLER.

Dr. L. Mayer, Pittsburg, Pa.

A month has not yet elapsed since Samuel Adler, I say not "Dr. Adler," nor "Rabbi Adler" (for גדול מרבן שמו), the honorary President of this Conference, has passed away. Born in 1809 (on Chanukah, the feast of light), he was during his whole life a champion of light and truth, and like the Maccabees, so also our fatherly friend and mentor was a priest in word and deed. His name will ever be honored and esteemed in future ages. My friends, the honor shown unto me by the kind invitation of our venerable President imposes upon me the duty of depicting faithfully and convincingly what services the excellent man rendered to the community for which he lived and worked.

He belonged to those distinguished men who half a century ago tried to direct and control the waves of the religious views of a party; to those who considered religion the sum total of all noble movements of the people, and who recognized and highly valued Judaism for having been for thousands of years the immortal representative of a monotheistic idealism.

For in the service of the Jewish religion Samuel Adler labored not only as preacher of the congregations of Worms, Alzei and of Temple Emanuel, of New York, as his vocation demanded, but with the whole force of his mind and of his heart, with the whole energy of his ability and of his will, in the service of Judaism he worked, spoke and wrote, taught and lived, because in it, as he taught it and as he lived it, he saw the embodiment of true humanity.

Samuel Adler adhered to that system of opinions which admits Judaism to be not only a religion, not only non-Christianity, but perceives in it a very old, but still youthfully vigorous power, which, freed from its mediæval dross, has yet the mission to exercise in the future a blissful influence upon the development of history.

Yes, my friends, in the pioneers of the reform aspirations of the modern time the spirit of the prophets has become alive. Their

motto was, ללמוד וללמד ולעשות, to learn and to teach, to elevate and purify life, was the highest motive, the aim of all their aspirations.

Our departed honorary president was a learned, quiet, painstaking searcher, but he also was a man of clear-sighted reason and sound judgment, and still more than this, he was a man with deeply moral endeavors who believed in the power of the idea, and untiringly worked to realize it.

In the minutes of the proceedings of the rabbinical conferences, which in the years 1844–1846 were held in Germany, and of that held in Philadelphia, his calm discretion conscious of its aim is clearly evinced. In his utterances the ripe thinker, the learned Talmudist, always ready for arguments and retorts, justly attracts the attention of his hearers; he succeeds in calming the excited minds and to dispose them to the toleration of opposite views.

Convincing and impressive are his words when he admonishes the assembly that the individual work being but fragmentary, success and victory can only be achieved by the union of forces.

His literary activity always manifested a hesitating timidity. Only a decade ago the deceased, broken in body, but fresh and vigorous in mind, published some researches. I refer to his dissertation in Stade's Zeitschrift, "The Day of Atonement in the Bible, its Origin and Significance;" his dissertation about 'ממחרת השבת' in Graetz's Monatschrift; his קובץ על יד, and his dissertation "About the Talmud" in Johnston's Lexicon.

In the numerous works of his library the teachers and students of our college will find many marginal notes which can be used to elucidate obscure points in the history of Jewish literature.

In the first years of his ministerial activity in this country, he took into special consideration the practical side of Judaism regarding the education of the youth, and his "Guide for Religious Instruction" has a permanent value.

For the more advanced youth he tried to work by voluntary instruction in the rabbinical branches. The number of pupils is great, for already since 1859 his activity in that direction had begun. The following advertisement published in the Jewish papers of that year informs us that our honorary president was the originator of the idea which created our theological institution in Cincinnati:

"American Judaism is in its growth; internally and externally, in extension and in vital development, it shows fresh, active power. The congregations increase in quick continuation, and however much they may differ in religious views and forms, nearly all of

them feel the necessity of instruction, and the want of religious guides who in the school and in the house of worship shall promulgate the living word of the Thora. But this demand is only satisfied in a few congregations, and will less and less be complied with in future, because there is a lack of young men willing to devote themselves to Jewish theology, and this lack arises from the fact that America has no institute for the teaching of Jewish theology; yea, not even a preparatory school. Therefore the undersigned has resolved to devote his leisure hours to the American youths who are willing to prepare themselves for the branch of Jewish theology. Young men having acquired a little knowledge of Hebrew can daily receive gratuitous instruction in Hebrew grammar, biblical exegesis and Talmud. New York is a city which furnishes ample opportunity for a scientific education in other branches, and where talented young men, even if without means, can easily earn their subsistence. May the applications become numerous and the enterprise be accompanied by God's blessing. DR. S. ADLER."

In the preparatory school of Temple Emanuel the deceased saw in a certain measure the success of his endeavors, and with conscientious faithfulness of duty he taught assiduous young men, even after the preparatory school had ceased to exist. His pupils speak highly of the salutary influence of his teaching.

A society for study created by him two decades ago has, during these years, made it possible or easier for many a young man to continue his studies in higher institutions. At no time was the sacred ardor for "Talmud Thora" extinguished in Samuel Adler's heart. Never will be forgotten what he accomplished through his influence, his calm dignity, his warm, loving heart, his deeds of charity.

The donation of his library will always keep his memory green in the Union of Hebrew Congregations. May his character and his energy also become the inheritance of the younger men, and inspire them with the same enthusiasm!

[APPENDIX.]

Documents.—The "Zeitung des Judenthums" of February, 1857, has the following correspondence about our Samuel Adler:

"Last Saturday, the 21st inst., the Rev. Dr. Adler, before his departure for New York, whither he was called to fill the honorable position of preacher at Temple Emanuel, delivered his farewell sermon, which deeply touched the large audience composed of confessors of

the various religions. The Jewish congregation of this city loses in him a man who, during the fourteen years of his activity, had in the most unselfish way been endeavoring by word and by deed to promote the spiritual welfare of his congregation, to elevate the pure faith of our sublime religion, and he had the satisfaction to see that his endeavors were generally acknowledged and appreciated.

" For some time past all Israelites of this city have been painfully affected by the loss threatening them, and in an address by the congregation to their worthy leader, and by the donation of four beautiful silver chandeliers, they gave an eloquent expression to their feelings. Likewise all institutions in which he gave religious instruction, and various private parties honored him with tokens of friendship and regret. Not only the love and esteem of his co-religionists, but also those of the confessors of other religions follow him over the ocean."

About the election of Samuel Adler as rabbi of Temple Emanuel " The Sinai " wrote as follows:

" Dr. Adler in Alzei will follow the call of congregation Emanuel, and intends to enter upon his office in April. The noble confidence with which this excellent congregation elected for life a teacher worthy of them, without knowing him personally, enables the rabbi to take charge of his new post with double eagerness and love. Thus a capable thelogian has again been acquired for the fostering of our congregational life, which otherwise would decay under the bungling hands of reverends grown up in a night, and who are rather fit for rope-walkers than for theologians."

From His Inaugural Sermon in New York.

" Behind us lies Mizraim, the Middle Ages; before us the sea of Talmudical legality, of which it can be said in truth, ' All brooks and brooklets emptied into the sea, yet it was not filled nor cleansed by overflowing.' Let us then lift up the staff to divide it! Backward we can not go.

" Stagnation is death. Reason holds the staff, reason is the guide. The Thora is called our wisdom, and our reason in the eyes of the nations. A violent east wind blows from the old country, and dries up the sea in the land of liberty. Wind and spirit are the angels of God. The spirit dwelling in the West, in the land of liberty, is the born Messiah."

Now a few sentences from his words about reform in the public worship.

An important opinion from the year 1858, given to the "Reform Association" in Chicago. The exhaustive document closes with the following forcible admonitions still valuable to-day:

"What way must a reform congregation pursue? The answering of this question would fill a whole book, and can not even be comprehensively indicated in a letter. I therefore only remark that the first and most important point for such a congregation consists in freeing the cult from terrible falsehoods, to remove therefrom the assertion of facts and wishes which we, if we understood them, would not utter with our lips. To this class belongs the wailing about oppression and persecution, the prayer for the re-establishing of the sacrificial cult, for Israel's return to Palestine, the hope for a personal Messiah, and the resurrection of the body. Furthermore, should there be banished from the prayers the bombast, the accumulation and unnecessary repetitions of words and sentences, and all expressions wanting good taste, and there should be substituted in their place what is clear, comprehensible, instructive and exciting enthusiasm."

On the Removal of Hats in the Synagogue.

An opinion given to his congregation in 1859, and printed in Geiger's Zeitschrift of the year 1864. A complete reproduction of this thorough work in our Year Book would be advisable. We quote but the following passages:

"The Jewish religion was but for a time clothed with the garb of the Jewish nationality, but in truth it is destined to throw off this fetter, and to become by and by the universal religion. If, therefore, from its point of view the Talmud considered it its principal task to erect partition-walls between Israel and the nations, Reform from its point of view finds its highly important task in the tearing down of these partition walls. This process is the work of the recent past and of the present time, and was and is felt by the masses, although but a few had a clear consciousness thereof. Hence the violent struggle and the passionate defense, whenever the powor of time and the demands of life began to shake these outward barriers of isolation. Yet there prevailed the demands of life which comes from God, and is in a league with reform. Long ago the Israelite has ceased to be distinguished by names and by language from the nations of which he has become a member. In common life the pious Jews have for a long time considered it an act of religious faithfulness to preserve their mode of dressing ac-

cording to the manner of their fathers, and when the demands of life were urging and the intercourse with the world no longer permitted a distinction in garments, the attachment to the old fashion surrounded by a religious halo took refuge in the house of worship; men entered the synagogue, first daily, then every Sabbath; later only on holidays, clothed in a mantle and barret-cap; but when the reforming time had abolished this, the barret, known under the name "broad cap," was still obligatory for those who were called to the Thora. All these splendors are entombed and have passed into oblivion. One thing has remained, viz., the covering of the head while praying, of which there is question here. Not a long time ago, even that Israelite who in his house, in his store, or even at table, was found bareheaded, passed as a renegade. Life has also banished this erroneous notion. Now only the covering of the head during the prayer is still left as the last palladium of this Talmudical system of isolation, and therefore this hot contest. Talmudical orthodoxy says it must be preserved, not because a Jewish religious thought is expressed therein, but because bareheadedness is a non-Israelitish custom. And reform says, this custom must be abolished, because it does not represent a Jewish, nor a general religious idea, because it is the rest of a national partition wall, which is an obstruction in the path of Judaism destined to widen its circles, and to extend its sphere into the outside world."

[Appendix B.]

CREMATION FROM THE JEWISH STANDPOINT.

By Dr. M. Schlesinger, Albany, N. Y.

Mr. President and Brethren:—It is certainly a *burning* question which our Executive Committee has assigned to me to discuss before you. Within the pale of our American Judaism, however, it has not evoked such ardent partisanship of pro and con, as among our brethren in Europe. In our country of vast dimensions and a comparatively sparse population, the encroachments of the dead upon the domain of the living are not so painfully felt as in the old, densely populated European countries. It is therefore natural that the question has aroused by far greater interest among our brethren in Europe than among us. During the last ten or fifteen years European Judaism has produced quite a respectable literature treating on this subject. As my friend, Dr. Philipson, has kindly informed me, Dr. Hamburger in his Supplement Band. II. to his Real Encyclopædia, Article "Feuerbestattung," has carefully collated all the more important publications. I am very sorry that I could not obtain this valuable aid, though I tried hard enough. I could avail myself only of Perles' Arts. in Frankel's Monatsschrift, "Die Leichenverbrennung in den alten Bibelversionen," and his "Leichenbestattung," ibid., 1861, and Saalschutz "Archæologie II.," p. 146. All the other vast literature on the subject was inaccessible to me. You will therefore excuse what incompleteness there may be noticeable in my essay. Probably you will be so much more inclined to be lenient as, with us, the question is not yet of such great practical moment. But, if you remember, that with us every movement moves with infinitely greater rapidity than with our brethren in Europe; that a great many questions of reform, which had been settled theoretically in Europe, were here carried into effect without much ado, while in Europe the old and antiquated forms are still kept up, you will not withhold your earnest attention from this dis-

cussion which, perhaps sooner than we think, may require a practical application. We shall, no doubt, have to take position toward it. It is not quite so unimportant as it may seem.

Our Executive Committee have properly circumscribed the question to "Cremation from a Jewish Standpoint." For there are various points of view from which we may approach the subject. For instance, we may consider it from the sanitary standpoint, or that of mere humanity. As long as we occupy these positions only, I venture to say, a decision will readily be reached. There can be no doubt that a due concern for the sanitary welfare of society, as well as a due concern for the harrowing feelings and sensations that accompany the burial of the dead, will most emphatically declare that cremation is the only rational method of disposing of the dead. Our present method of burial, though every possible precaution be taken (which in most cases it is not) is injurious to the living. A certain amount of irrespirable gas will always escape into the air, or into the sewage drains, and thus reach houses, or will percolate so as to contaminate the water which is afterward used. The most distinguished physicians and chemists have unhesitatingly advocated cremation as the method "which can not offend the living and shall render the remains of the dead absolutely innocuous." (S. Britannica, Vol. VI., Art. Cremation.)

Considered as a matter of mere humanity cremation will commend itself still more strongly. It does away with the horror which the thought of a possible burial while still alive has for so many; and it does away with the no less horrible thought of putrefaction, that the body of our beloved, when deposited in that dark pit, must become the prey of the "small cold worm that fretteth the enshrouded form." Cremation would do away with these and other exceedingly unpleasant, not to say disgusting, feelings.

The objections to this innovation arise when we approach it from a religious standpoint. And these objections can not lightly be brushed aside. You know that religion—strange to say—even in those cases where it could not exert its beneficent influence so long as life lasted, will be called in to lend its magic spell at the grave. Of course, we need take no account of excrescenses which have degenerated into superstition; but religion has indubitably a legitimate and very prominent place at the death-bed, in the house of mourning and at the final disposition of the body, the holy shrine, from which the immortal spirit has gone forth. Her voice must be heard respectfully. And I need not tell you that, in most cases, the

voice of all and every form of religion of the civilized world has been, and still is raised, against "Cremation."

The Christian doctrine of the resurrection of the dead, and the final judgment, when body and soul will have to be judged together (doctrines which Christianity received as an inheritance of that phase of Judaism out of which it sprang forth) were undoubtedly the principal cause that the ancient heathen custom of burning the body was rejected as an abomination, and the Jewish mode of burial adopted. To bury the dead, as we do now, there can be no gainsaying, is a Jewish custom.

Then, we should judge, cremation from a Jewish standpoint is inadmissible. Yet, let us not be too hasty. The real spirit of Judaism can not be learned from a custom which developed out of the peculiar views and ideas of a single phase of its gradual development. The history of Judaism and its development is a very long one; and, if we trace its course far enough upward, we shall find that other customs prevailed; that, in fact, originally the Hebrew mode of disposing of the dead was cremation and not burial.

It is true, we have to go up very far—to prehistoric times. But the sacred literature of the Bible has preserved unmistakable, though only faint, traces of this primitive custom. We shall also find that, even in Biblical times, cremation was resorted to in extraordinary cases. Josh. vii. 25, 26, we find that Achan and his family were stoned, and then their bodies were burned. וירגמו אתו כל ישראל אבן, וישרפו אותם באש "and all Israel stoned him with stones and burned them with fire." In I. Sam. xxxi. 12, 13, we hear that the grateful inhabitants of Jabesh-Gilead rescued the bodies of King Saul and his sons from the walls of Beth-Shan, brought them to their own city and burned them. ויקחו את גוית שאול ואת גוית בניו וישרפו אותם שם

These, we shall admit, were extraordinary cases from which we may not derive any conclusive argument. But, that the custom of burning the dead must formerly have been a universal one, we learn from Amos vi. 10, where the nearest blood-relation is called מסרף, "the combustor." He is placed in juxtaposition with דוד, the uncle, ונשאו דודו ומסרפו, "and his uncle or combustor will take him." Even the phrase ואנכי עפר ואפר (Gen. xviii. 27) "I am but dust and ashes," points in that direction. The fact is, as Jacob Grimm in his treatise, "Ueber das Verbrennen der Leichen" (Kleine Schriften II., p. 226) has conclusively shown, among almost all ancient nations the burning of the dead was the primitive custom. Gradually it

gave way to that of burial. Of this language is the clearest evidence, for it preserved the terms and expressions which were formed when combustion was the prevailing custom. Thus the Greek σορός meant originally the "urn," but afterward the coffin; τύμβος in Latin "tumba," originally meant the funeral pyre, afterward the "grave;" and even the Hebrew ארון "coffin" is related to "urna," the urn, which, in its turn, is derived from "uro," to burn (Grimm, ibid., p. 234).

There can be no doubt that the primitive custom among the Hebrews, as among most of the ancient nations, was to burn the dead. Nor can there be any doubt that, among the Hebrews, this custom had to give way to that of burial at a very early period. And the principal reason which brought about this change can still be traced in the Scriptures. From Jer. xxxiv. 5 and II. Chron. xvi. 14; xxi. 19, we learn that the custom prevailed to place the dead body of kings on a bed filled "with sweet odors and divers kind of spices, prepared by the apothecaries' art," which, after the body had been deposited in the tomb, were burnt "in a very great burning which they made." This "very great burning" was evidently a relic from the time, when combustion was the general custom, and reappeared at the more pompous burial of kings and other great men, even as late as the time of R. Gamaliel. We read in the Talmud (Ab. Sara, 11*a*) שורפין על המלכים ואין בו משום דרכי האמרי . . . . וכשם ששורפין על המלכים כך שורפין על הנשיאים . . . . ומעשה שמת ר' ג' הזקן ושרף עליו אונקלוס הגר שבעים מנה צורי to honor the older R. Gamaliel, Onkelos, the proselyte, made a funeral pyre at the expense of 70 tyrian minas.

The "sweet odors and divers kind of spices" that were still burned at the funeral of kings, had been found necessary to apply, when the body itself was placed on the funeral pyre, in order to mask the loathsome odors of the burning flesh (just as at the temple service sweet incense was used). This, however, was a very expensive luxury in which the richest only could indulge. Most of the time burning of the dead was by no means inoffensive to the sensation of the survivors, especially the relatives. The simpler and easier way of disposing of the dead naturally suggested itself. They could be hidden out of sight by laying them away in natural or artificial caves, or covering them up with earth and allowing the same process of combustion and dissolution which formerly was rapidly performed before their eyes to go on slowly in the darkness of the grave. That any danger or inconvenience to the living should arise

from this new mode of disposing of the dead, of course, never entered their mind. On the contrary, there remained a certain horror of having the human body burned. This manifests itself very clearly in the extraordinary pain which the Targumim and old commentators take in explaining away every allusion to the ancient custom of burning the dead. For instance, Amos vi. 10, the Targum renders ויטלינה קריביה מיקידא 'which changes the "combustor" into the relative, who *saves the body from combustion.* Josh. vii. 25, the Targum translates ואוקידו יתהון בנורא בתר דרגימו יתהון באבניא *they burned their goods and chattels only*, after they had stoned the persons; and so in every place (S. Perles, Die Leichenverbrenung in den alten Bibelversionen, Frankel's Monatschr., 1869, p. 76). "Rashi" and the other commentators follow closely the Targumim. Only Kimchi פ השרשים סרף and commentary (ad. loc.) says מסרף הוא אחי אמו ויש מפרשים מענין שריפה, כלומר מי ששרפו. From the teachers of the Talmud combustion is so far removed that they do not consider it at all.

It is beyond caviling that, in the course of time, the burial of the dead was considered the only fit and decent mode of disposing of the dead among the Jews. It became the prevailing custom. But we must not lose sight of the fact that it was only a custom, and that one which, in its turn, had supplemented the older custom of combustion for some very good reasons.

It commended itself, because it seemed to be the simplest, least expensive and least offensive mode of disposing of the dead. The ancient way of combustion must have been not only very expensive, but extremely repulsive to the surviving friends. Just think of the huge funeral pyre that had to be built up; of the fierce or sometimes slowly smouldering flames that were devouring the body before the eyes of the surviving friends; the unbearable smoke and the loathsome odors that arose; and after all this had been gone through with, there still remained some bones which had not been consumed by the flames. These had to be carefully picked out from the debris to be deposited either in caves, or tombs, or graves. Was it not natural that the burial of the whole body appeared so much more rational and simple?

It was something altogether different from cremation as recommended by modern science. This is a process which need have nothing repelling or disgusting. The body is deposited in a heated chamber; it does not come in contact with the flames; there are no loathsome odors, or noxious gases, because they are all consumed;

the harrowing sensations that accompany the lowering of the coffin into that ugly hole, called the grave; the dull, hollow thuds which sicken the heart, as the clods are falling one by one on the coffin, are all done away with. The coffin with the body is taken out of sight, and, after a few hours, the dust and ashes of the beloved form, which once enshrined the soul, are delivered to the safe-keeping of those who naturally wish to honor even the dust and ashes of their loved ones. The very same reasons, it seems to me, which in past ages, induced our forefathers to prefer burial to combustion, ought to be potent enough to make us prefer cremation to burial.

Besides this, sanitary reasons must also have led to this change of custom To burn the body, as they did in olden times, required great preparations, which, in the case of poorer people, were not only very expensive, but took a long time to complete and occasioned a most undesirable delay. The Mishna (Sanhed. 46, 9) says: כל המלין את מתו עובר בלא תעשה "whoever keeps his dead over night transgresses against a prohibitive command." In the Orient the dead body decomposes so much more rapidly, and becomes both loathsome and dangerous to the living. Hence the wise injunction which, as you know, was scrupulously complied with by mediæval Judaism in climates, where the oriental custom was nothing less than wise; simply because they desired to live up to the maxim, דלא לישתני ממנחניה, not to change the ancient custom of the fathers But could they do so? You know very well that the customs of burial among the Jews, as well as all their other customs, changed continually with the mutation of time and history. Even orthodox Judaism has none of the ancient funeral processions, which stopped in the streets as frequently as possible to change the bearers (Berach. 17*b*); has no wailing women, no funeral music, or dirges; no funeral torches (Ber., 53*a*), which were all considered indispensable, so that even the poorest had to have, at least, two flutes and one wailing woman (Kethub. 46*b*) Our burial customs have changed and are continually changing. I, for one, can not see any reason why it may not again change radically and return to the primitive custom of combustion.

To justify such a change we must again emphasize that the disposing of the dead by burial is no Jewish law or positive command; it is simply a custom. The Talmud recognizes this fact. In Sanhed. 46*b* we read אמר ר' יוחנן משום ר'שמעון ב' יוחי רמז לקברה מן התרה מנין Where have we in the Torah any *hint* that the dead should be buried? On the same page we read "When King Sapores, the

Parsee, who abhorred burial, asked R. Chama קברה מן התרה מנין אישתיק "Where is burial commanded in your law?" he kept silence and could not reply. In fact, the teachers of the Talmud were not sure why burial was considered absolutely necessary. אי משום בזיונא אי משום כפרה whether it was that the disgrace of the dead should be prevented (for throughout antiquity, except among the Parsees, it was looked upon as the most terrible fate to leave one's body unburied), or for the sake of atonement, that the body should be returned to the bosom of mother earth (Sanh., 46*b*) There is no law which prescribes burial. It is a mere custom which, in former ages, was intimately connected with certain eschatological ideas, and, on this account, was considered absolutely necessary to the fulfillment of the dearest hopes and highest aspirations, viz., the resurrection of the dead and the enjoyment of everlasting bliss.

Modern Judaism has discarded the ancient eschatology, and returned to the simple faith and belief in immortality, as implied or presumed in the finer and sublimer passages of the Scriptures; as Ps. xlix. 16; lxxiii. 24, where death is looked upon as a return to God. "But God will redeem my soul from the power of Sheol, *for He will receive me.*" "Thou shalt guide me with thy counsel and *afterward receive me to glory.*" "My flesh and my heart faileth, but *God is the strength of my heart and my portion forever.*" It is not a descent to the darkness of the pit, but an ascent to the light in which we shall see God more clearly. (Ps. xvii. 15.) "As for me, I shall behold thy face in righteousness: I will be satisfied, when I awake, with beholding thy form." (Job xix. 26, 27.) "And after my skin, even this body, is destroyed, then without my flesh shall I see God; and whom I, even I, shall see for myself; and mine eyes shall behold and not a stranger" (i. e., my consciousness of being the same I was, when on earth, shall remain). Death is looked upon as the mysterious outlet which leads to bliss and joy. (Ps. xvi. 11). "Thou wilt show me the path of life; in thy presence is fullness of joy; in thy right hand there are pleasures for ever more."

We may doubt whether this is really the correct, or, at least, the only possible interpretation of these passages; but we can not doubt that this aspiration pervades not only the whole development of Judaism, but the Scriptures even there, where they observe a modest and reticent silence in regard to the future state. What else could it mean that "our days here on earth are but a pilgrimage;" that "we are strangers and sojourners as all our fathers were," if not that we are bound to a permanent and better home, where we are to

the manor born? The Talmud elaborates this idea by the assertion (Moed K. 9*b*.) בהאי עלמא אישפיזא והא עלמא ביתא "this world is the temporary lodging place," the "hospitium," and the world to come "the real home."

These simpler and sublimer views have again become the eschatology of our modern Judaism; and this, surely, does not demand as an indispensable condition the slow and loathsome dissolution of the body in a pit, a process which poisons the air and the water, and endangers the health and life of those we leave behind. Cremation may be accompanied with the same pious rites and ceremonies as burial, and the dust and ashes of our dead surrounded with even greater respectful veneration than they are now. Our religious sense need not be shocked or violated in the least.

So much is sure: the spirit of Judaism is not against, but most decidedly for, cremation.

[APPENDIX C.]

CONFERENCE SERMON.

By Dr. Max Heller.

From the dwelling of Thy holiness I call on Thee; Lord, answer me in Thy loving kindness! Be with me that I may announce Thy praises in the congregation of Thy holy ones! Open my eyes that I may behold wondrous things out of Thy law! And create unto all of us, Thy children, a pure heart, and a firm spirit restore within us that the work of our hands may be established, now and forever! Amen.

COLLEAGUES AND FRIENDS:—With thoughts of peace and wishes of good we have come to this place of gathering, to meet our brother-workers face to face, to strengthen each other's hands in the friendly clasp, to fire each other's hearts in the unrestrained communion of ardent words. Scattered as we live over the boundless stretches of our land, we hasten to these holy convocations with so much greater joy, with so much richer hopes. The rabbi, with but few excepted instances, stands in all the vastness and difficulty of his sphere alone. His people, animated with the energy of a reawakened life, stride on from year to year with a giant's pace; a complicated and overbearing present defies every guidance of precedent from the past; and into the tumult of a thousand distracting noises the rabbi is placed, free leader of a faith white with the snows of age, yet aflame with the fire of youth and vigor. Amid the people under his care, trusting at times, again heedless, the burden of responsibility lies heavily upon him; and he turns with an expectant joy to the welcome colleague, to seek his counsel, to confide doubts and uncertainties, to exchange thoughts and methods and ideals. He meets the thinker and he meets the man; the former refreshes him with the new lights and interesting reflections of a mind differently made; but it is the latter, the man, who strengthens him; it is the outflow of personalities, here genial and kindly, there fervid and earnest, that cheers to new labors by the imparted electric force and play of a teeming spiritual life.

From the thought and the life inextricably blended, as their highest final fruit, we ought to take with us a new dedication to our sacred work, a reawakened and re-exalted love for our tasks, as if we had indeed reconsecrated ourselves to our work, bringing back all our purest ambitions in garments shining and new. Upborne by this hope we enter these courts of our God, and having listened to the voices of learning, of experience, of research and of reasoning, we bend our heads in the reverence of worship as we open our hearts to the pleading words of exhortation.

The word of the pulpit—what ought it to be and what to do? Never, perhaps, in the entire history of the Jewish pulpit have opinions differed so widely on this subject. We have at the one extreme the dogmatic sermon, at the other extreme the scientific lecture. The one rabbi discusses literary novelties in the pulpit, another brings back the style of the Derasha. In one pulpit the language of the street is installed with its slovenly indelicacies, in another the stilted rhetoric of the commencement speaker holds forth in all the splendor of flourish and tinsel. The same preacher who thinks it necessary to deliver serial lectures on Jewish history preaches in the same pulpit with brand-new citations from never a Jewish source, as if his teachings had grown on any but Jewish soil. It is the confusion of individualism gone mad, the blind groping and aimless experimenting of bewildered men. In this angry sea of contending noises let us cast our soundings on the bottoms of eternal truth; Judaism has been one in all the ages; each link in the chain of its development is clasped firmly in the one before and in that after it. Our age, too, must take its appointed place in the chain of continuity, and follow like the others unchangeable laws of natural growth. By the example of the past, from the demands of the present and the hopes of the future, which are the guiding purposes and laws of Jewish pulpit-teaching in these modern times?

We will wreathe our words like a clinging ivy around the pillar of a biblical verse; thus will our thoughts be certain to climb upward on strong support. "Like the rain," says a verse in Isaiah, ch. lv., "like as the rain cometh down and the snow from the heavens; and thither it returneth not, until it hath watered the earth and caused it to bring forth and sprout, until it hath given seed to the sower and bread to the eater, even so shall be my word which shall come forth from my mouth. כי כאשר ירד הגשם והשלג מן השמים ושמה לא ישוב כי אם הרוה את הארץ והולידה והצמיחה ונתן זרע לזרע ולחם לאוכל כן יהיה דברי אשר יצא מפי

The comparison of teaching with the various forms and uses of water is a familiar one to the student of the Bible; the fountain of waters, the living spring, the well-cemented cistern, the refreshing rain, all these are symbols of truth and its blessings; drouth and desert are images for ignorance; a panting thirst pictures eagerness for knowledge, longing for worship. The comparison in our verse is elaborate; it does not content itself with stating the objects compared; it enters into details; it seeks to cover the principal points of resemblance.

כאשר ירד הגשם והשלג מן השמים "As the rain and the snow come down from the heavens": the word of the pulpit, before it is ever spoken, must come with the force and dignity of a higher authority. It can not afford to range itself in debate on equal terms with press or platform; it can not rest its confidence in the weapons of logic and learning; it can not enter the arena of contending influences with the every-day armor of common-sense and plain justice; it must strive to occupy higher levels, to come with a more solemn voice and bearing. If the preacher can not speak, like the prophet, as the mouthpiece of God, if he can not claim for himself divine inspiration, if he abandons the claim of that inspiration even for the book which contains his text—there is one inspiration still which clothes him with the lofty halos of the divine messenger, and that is the inspiration of reverent earnestness, of the high-aiming man whose life is spent in the service of the ideal.

It has become the fashion for the preacher in our day to play the dilettant of all serious sciences, to use the pulpit as an entrenchment from which to fire at plodding investigators hastily snatched and ill-assorted missiles out of their own armory. With little preparation, less time and still less care, yet with all the partiality born of deliberate prejudgment, ministers come to a hurried study of delicate problems, to enter in their pulpits the ridiculously unequal and shamefully arrogant contest with master minds and patient workers. Denouncing in the same breath all half-knowledge and unripe judgment as irreverent and unjust, they drag their sacred calling into controversies to which they can bring only impotence and incompetence. Here subject, method, spirit and language are foreign to the pulpit; scientific investigation, philosophic controversy find their proper sphere in the press, where contests are waged on equal ground. But "as the rain and the snow come down from the heavens," so the word of the preacher: its personal force can reside only in the elevation of its origin, in its outflow from the purest

aspirations, from the most sincere reverence, from the most profound earnestness of which human souls are capable. After the latest fact of science has been considered, after the last deduction has been made, after philosophy has constructed its most recent systems, the battle between the spiritual and the material view remains as undecided as ever; and again, each time, it is the heart out of which are the issues of life: the preacher, learned as he may be, has in the pulpit only one legitimate authority, not the authority of the scholar, the speaker, the master of fact, thought or word, but the force of the morally sublime man, of the interpreter of man's most godlike parts, as a voice lent to all the highest longings of the human heart. His word must come from the heavens; in his themes, in his conceptions, in his treatment, there must be something elevated, something which, like the rain, directs men's hearts unto the heavens, from which, as an exalted blessing, it comes to them.

כאשר ירד הגשם ושמה לא ישוב כי אם הרוה את הארץ והולידה והצמיחה כן יהיה דברי

"As the rain returneth not until it hath watered the earth, so that it bring forth and sprout, so shall be my word."—A valuable lesson is compared most frequently to the golden seed, sunk into fertile soil. Yet it is one of the most common experiences of the educator that, in a literal sense, we can not *give* seeds to the human soul, that we are limited to developing such seeds as we can find. We can not create, we can only unfold; we can not add, we can only expand. What is the action of the rain and the snow? Do they originate anything? They strengthen and they protect; they feed and warm; they enrich the ground so that it can bring forth. The seed is there; the warmth and the moisture must give strength to the life that is in it. What can the Jewish pulpit do for Judaism? How shall it ever arouse that interest in our past, that enthusiasm for our literature, that devotion to Jewish thought and Jewish virtues for which we seek in vain, even among our intelligent classes of young and old? Will lectures on Jewish history or literature bring about such longed-for results? Systematic knowledge and thorough information can never be gleaned from the passing word. Array your facts in the most logical succession, paint your pictures in the richest colors, clothe your words in the most attractive garb, such information will glide apast the listening minds like the fleeing shadows of a landscape by the windows of a speeding railroad car. Facts must be fixed in the mind by faithful study. The pulpit will never be itself or attain anything by aping the professorial cathedra.

We can not teach, we must impress; it is not knowledge we can give, but impulse; not the bare fact, but the strong, personal enthusiasm.

And this is not a less, but a more. The best that one man can give to another is not the knowledge he has mastered, but the love by which he has risen to mastery; the greatest teachers have not been those who have known how to inculcate the largest amount of information, but those who have succeeded in imparting the strongest and most abiding impulses to study. That is the mistake of American education that it stores where it ought to stir, that it sets up quantity as its measure of mental digestion, rather than appetite and zest for increase. In sympathy with this error we examine for facts in our religious schools, we multiply lectures and sermons, measure the preacher's usefulness by the number of his hearers, when no visible number or measure can indicate how strongly a personality has made itself felt, how widely an example, an inspiration has cast its beneficent rays. Silent is the life under the snowy shroud; silent the drinking and spreading at the root; invisible and immeasurable, too, is the growth of hearts under the blessed rays and rains of a noble example.

The rain returneth not, furthermore, "until it hath brought forth seed for the sower and bread for the eater." The seed and the bread, they stand for the beginning and the end. The seed is all promise and hidden possibility, the bread is secure possession and last fulfillment. In the seed there is already the bread, unlimited possibilities of future bread; the bread is there, ready to be used. The Jewish preacher stands between the harvest of a mighty past and the seed-time of a glowing future. Reaping and sowing, with him, go hand in hand. He deals with a people whose education has been the work of centuries, in whom strange fortunes and vicissitudes have reared certain virtues, certain capabilities, like a bread of life, fit to nourish and to sustain. They are known and familiar to all the world; to enumerate them here would be mere idle boasting. He has the seed, however, too, a seed with a strong life, a seed with a life peculiar to itself, with preferences, inclinations, aptitudes, to unfold which is the gardener's delicate art and proud achievement. Let him remember the great law of all unfolding, the law which requires that justice be done to individual peculiarities in food and treatment. It is the great mystery of the seed, illumining at once the definiteness and the impenetrableness of the divine plan, that in all its minuteness, it is gifted with well-defined powers of assimila-

tion which will result in one kind of fruit, more or less perfect, but in no other kind. And nature is just to the claims of the seed; for one of her beneficent laws is this, that she differentiates continually, that new species are created, each to work in its chosen and proper sphere.

These are profound lessons to the gardeners from God's own boundless garden. Let us prepare the soil for the seed. Let our endeavor be to cherish that seed with a view to its special promise. The Jew is a type, if there is a type in history. He is no abstraction, no pretense for certain ideas, he is a reality, clothed with the flesh and sinew of the clear-cut individual. Why should we make an abstraction of him? Why should we dilute him in tepid waters of humanity, when he has concrete habits of good-doing, long-cherished, part and parcel of his Jewish heart? Wherefore exchange the vivid coloring of the old Jewish Mitzvah for the pale tints of modern ethics? Wherefore foreign imitation, however elegant, in the place of spontaneous expression?

It is true, we are, in these times, pioneers on difficult roads. To the energy of stimulating discovery which has driven the world forward in this feverish century, the Jew, intense in all his ambitions, has added the burning ardor of a man, new-knighted with the dignities of citizenship, hurrying with cries of triumph to the foremost van of progress. The bread of life, his religion, he takes along in his march to blessed lands; but the leaven of ripeness has not fermented it; it is travel-food, hastily made, hurriedly eaten, baked in the newly-risen sun, not in the old, tried furnace at home. To drop the simile and to state the fact, the Jew is not of yesterday, and can not be specially born again for to-morrow; standing at the cradle of humanity he has grown in ages what he is and only ages can unmake him. In the broad spirit of this noble era he greets melodious echoes of familiar sounds: the godlikeness of man, the equality of races and creeds, the hope for the future, the vigor for work, the earnestness of duty, they beat in his heart upon sounding chords of sympathy and enthusiasm; he feels like one that would fling away the gathered wealth of a lifetime to rush free-handed into the arms of the new-found friend.

It is generously prompted and nobly intended; is it thoughtful? is it reverent? is it just? Friends, it is Gentile's hardest task to understand and to remember that prophet and Jew are of one family, that the exalted thought of the Bible is representative of the modern, was representative of the medieval, as it was of the ancient Jew, that

the same wonderful loyalty that has preserved the Jewish race, that this same loyalty has kept in vigor and purity the ancient Jewish spirit. The ages before us, the thoughts, the deeds, the words recorded in them, they are a grand illustrated edition of the bible of our life; here the Jewish spirit has left its monuments with inscriptions, speaking forth the very soul of the Jew. With the reverence of affectionate children let us study these inscriptions; let us discover in them and win from them the world-wide, precious meaning of Jew and Judaism. And then let us not be content to stand among men as their noble brothers, to bring unto them vague, rote-learned messages of general well-wishing and broad ideality; as Jews let us come unto them, with all that makes and all that raises the Jew and let us strive to bring to honor the Jewish name as the name for a strong, aimful, lofty soul-life after its own kind. Then, when we shall have arrayed ourselves fearlessly in our father's coat of many colors, seeking for our brothers at the father's hest, the dreams of Joseph will come to honor at last: golden grain and lofty star will bow down before Israel; for the richest harvest of good will be Israel's, and brightest will shine the star of his name in the galaxy of nations! Amen!

[APPENDIX D.]

JUDAISM AND THE REPUBLICAN FORM OF GOVERNMENT.

By Dr. David Philipson.

Twice in the course of their history as a nation, the Jews lost their land and were scattered to strange countries: the first time when Nebuchadnezzar, King of Babylon, destroyed Jerusalem and led its inhabitants captive to Babylonia; the second time when Titus, the Roman, with his conquering legions, subdued Palestine, sacked the holy city, burned the temple and put an end to Jewish national existence, for dating with that catastrophe the Jews as a nation ceased to exist, but lived on as a religious community only. From both of these periods we have authoritative expressions of the relation of the Jews, and hence of Judaism, to the existing government. The twenty-ninth chapter of the book of Jeremiah contains a letter written by the prophet to the exiles, whom the Babylonian king carried away from Jerusalem; in it we read the following piece of advice: "Build ye houses and dwell therein; plant gardens and eat their fruit; * * * seek the welfare of the city whither I have banished you and pray in its behalf unto God, for in its welfare shall ye fare well." And about one hundred and fifty years after the second destruction of Jerusalem, Samuel, a Jewish teacher living in Nehardea, gave expression to the sentiment, "The law of the government is law." These two expressions, "Seek the welfare of the city whither I have banished you and pray in its behalf," and "The law of the government is law," embody the relation of Judaism to the various governments under whose jurisdiction the Jews throughout these many centuries have lived. Loyalty to crown and state, interest in the land of their sojourn, fealty to the laws appear everywhere to have guided them. Generally they stood without the law, they were considered aliens dwelling in the land on sufferance, but where they were permitted to enjoy the rights of citizenship, there were none who were more ardent in furthering the welfare of

the state. The words that the Jewish statesman, Isaac Abarbanel, is said to have spoken in the hearing of the king, queen and court of Spain at the time that he plead, though in vain, for the revocation of the dread decree banishing all the Jews from the realm, well express the feelings of the Jews toward any land wherein they dwelt and wherein they were permitted to live their lives and pursue their avocations peacefully: "We are not strangers in a strange land, we are sons of Spain. Under the citron and the pomegranate on the banks of the Tagus, the Jews could forget the cedars of Lebanon; here found they the apples of paradise and the myrtle to crown their vines. * * * Where is there a land which can recall such fond recollections as this, our fatherland? Where the nation to which the history of a thousand years attaches us like the Spanish? and may the king forgive the word of his servant, we were not unworthy citizens of this realm, not for naught was the intimacy of the Jews with the noble and brave people of this land. If elsewhere Israel beneath the oppression of barbarian people sunk into the slough of ignorance and superstition, stained its life by base dealings, here it was otherwise. We have cultivated the arts and sciences which ennoble the spirit of man, men whose names will be mentioned with reverence by the latest generations taught here. King Alphonso did not hesitate to surround himself with our wise men. * * * A courtier showed the wife of King Henry a synagogue which stood next to a church, and said: 'For many years the synagogue stands next to our church, and each people worship undisturbed.' The queen answered: ''Tis well; may synagogue and church touch until both shall fall into ruins.' * * * As I stand here, O my king, I stand for an ancient people whose roots are sunk deep into Hispania's soil. O grant us this land; in the name of my people I offer every sacrifice which the fatherland may require; I offer all our riches—take them, 'tis but a small gift for the air of freedom which is wafted from Hispania's mountains."

Love of country, attachment to the government breathe in every sentence, and like sentiments moved the Jews in every land in which they enjoyed the least rights.

After these few general remarks on the feeling of the Jews toward the lands and governments within whose confines they may have lived, I turn to the consideration of my special theme, "Judaism and the Republican Form of Government." Several years ago our ex-minister to Turkey, Mr. Oscar S. Straus, published an interesting little book entitled "The Origin of the Republican Form of Government."

The last two chapters of the book are headed "The Hebrew Commonwealth and the First Federal Republic," and "The Influence of the Hebrew Commonwealth Upon the Origin of the Republican Government in the United States." In the former of these chapters he argues that the government of the Hebrews in the time of Moses, Joshua and the Judges was a federal republic, and that, as he puts it, 1,500 years or more before the Christian era, before Rome had obtained a foothold in history, 500 years before Homer sang, and 1,000 years before Plato had dreamed of his ideal republic, when all Western Europe was an untrodden wilderness, the children of Israel on the banks of the Jordan, who had just emerged from centuries of bondage, not only recognized the guiding principles of civil and religious liberty that "all men are created equal, that God and the law are the only kings, but also established a free commonwealth, a pure democratic republic under a written constitution, 'a government of the people, by the people, and for the people.'" In the last chapter of the book, the author quotes freely from the sermons and utterances of eminent scholars and divines of revolutionary times to show the great influence that the old Jewish state, as governed in the premonarchical days had on shaping the new American government.

To give but one specimen of the style of that day, I reproduce here an extract from an election sermon preached in 1775 by Samuel Langdon, President of Harvard College: "The Jewish government, according to the original constitution, if considered merely in a civil view, was a perfect republic. And let them who cry of the divine right of kings consider that the form of government which had a proper claim to a divine establishment was so far from including the idea of a king that it was a high crime for Israel to ask to be in this respect like other nations, and when they were thus gratified, it was rather as a just punishment for their folly. Every nation when able and agreed has a right to set up over itself any form of government which to it may appear most conducive to its common welfare. The civil polity of Israel is doubtless an excellent general model, allowing for some peculiarities; at least some principal laws and orders of it may be copied in more modern establishments." There can be no doubt but that the Biblical ideas and models exerted great influence on the minds of the early American patriots; they were descended from the Puritans and Pilgrims, and we know how exactly they modeled their lives on Biblical lines, and how they regarded themselves as the modern Israel. There is

much truth in the contention that the old Mosaic commonwealth influenced in more respects than one the ideas and thoughts of the founders of this republic.

But however that may be Judaism itself as a religion requires for its full growth and expansion a republican form of government, a government in which there is absolute separation between church and state, a government in which every form of thought and belief is permitted to work out its own development, a government in which no one religion is the state religion, receiving state recognition and state support to the exclusion of all others, a government in which universal ideas and world-enlarging thoughts may be worked out without let or hindrance. I believe that I may cite as good Jewish doctrine upon this subject of the relation of church and state, some sentences from Mendelssohn's book, "Jerusalem," which was written several years after the theoretical doctrine of the separation of church and state found practical solution in this United States.

"One of the greatest problems of politics is to determine the proper relation between church and state, between civil and religious rights, so that they may not encroach upon one another nor become burdens of our social life, incumbering it with greater difficulties than attach to it naturally." "Church and state both have the mission to further human happiness, each in its own way." "Neither church nor state has any right to prevent any man from enjoying the free exercise of his opinions." "The state has no right to appoint men to teach and enforce certain special religious opinions. Its duty in this respect consists only in appointing teachers who shall instruct the children in wisdom and virtue, and who shall spread such useful truths as the happiness of human society depend upon." "The state has nothing to do with opinions which any ruling or any subjected church or synagogue accepts or rejects; it has only to be mindful that no doctrines be spread which are subversive of the public weal; it must be watchful only of the observance of these principles in which all agree, without the realization of which in the life of the people happiness would be only a dream and virtue itself no longer virtue. Naturally the state has no right to exclude any person from the enjoyment of political right on account of his religion, because, properly speaking, if each will cultivate its own premises there can never be any collision between church and state. Neither church nor state has any right to arrogate to itself in matters of belief any further right than the right

to teach, any further power than the power to convince, any further weapon than the weapon of reason."

Only in a republican government could ideas like unto these find full acceptance, and it is only when and where such doctrines are fully recognized and completely carried into practice that a religion such as Judaism can grow and reach out toward its proper development. For see! Judaism—and by this term I mean the Judaism of the prophets, monotheism joined with the highest morality—is a universal religion; its greatest teachings are the unity of God and the dignity of man and it is natural to conclude that only beneath the ægis of a government in which the dignity of man as man, not as king or noble but as man alone is the watchword of the law, a religion that also preaches this as its highest word respecting earthly and human things can properly flourish. Would any one for a moment hold that Judaism had any opportunity to grow and work out its highest possibilities at any time during the dark and middle ages up to the time of the establishment of a republican form of government here? Judaism existed but did not grow. Rabbinism, the product of those ages, was a retrograde, not a progressive movement. Judaism became a legalism more and more intricate, the universalism of the religion of the prophets, world-inspiring and world-embracing was cramped into the particularism of the *halacha* excluding and exclusive. How could it be otherwise? Christianity was the state religion throughout Europe. Judaism was considered a *superstitio et perfidia*, a superstition and a perfidy; it was compelled for self-preservation to make the fence it built about the law ever higher; the Jew was not a man in the sense that the Christian was; he was looked upon as accursed, as the deicide, as the proper victim for the Christian to be plundered, robbed, exiled, killed; every government was Christian; above the king and emperor stood the Pope and after the rise of Protestantism, in Protestant lands the king was the head of the church, no room for any other religion; church and state were so closely connected that to belong to any religion outside of the established faith meant to be barred from the enjoyment of the rights of citizenship; such then was the plight of the Jews and of Judaism until in the fullness of time a republic was established on these shores. Now came Judaism's opportunity. Events conspired toward a glorious consummation. Prophetical Judaism, the direct outcome of the teachings of Moses, Isaiah, Micah, Zechariah celebrated its re-birth in the nineteenth century; and how? The reawak-

ening began in Germany. The breath of freedom was wafted upon Judaism and it cast off the cerements in which it had so long been swathed, and appeared again as the religion of the spirit. That grand movement known as reform began its workings and great were its first devoted votaries; Germany was the land of its birth, but Germany was not to be the land of its practical workings, the early thought development of reform took place there, the practical outcome here; free movements are hampered in monarchical lands, existing institutions always receive the support of the established powers; Geiger at Breslau was compelled to contend not only with the orthodox Jewish party, but the Prussian government was appealed to by his opponents and supported them; Einhorn at Pesth was compelled to leave his post because the government took steps to close the doors of the Reform temple which under his leadership stood for the great spiritual ideas of Judaism, and he later came to America, for here and here alone was the field for development and practical fulfillment of his great and glorious thought.

Here in America the reform movement could develop and grow; here with our republican form of government, with each and every man free to think and believe as he will, Judaism has celebrated a re-birth, prophetism the religion of Judaism in all its purity is again preached. This, then, is the relation of Judaism to our form of government; true republicanism means the appreciation of the dignity of man, that each one is equal to every other; true Judaism preaching the all fatherhood of God and the all brotherhood of man means the same thing. As the republican form of government must be adopted in time all over this earth, for it represents the highest development of government, so too must the practical spread of the doctrines of prophetical Judaism keep pace therewith; we need freedom to unfold and as freedom becomes universal and state-churches disappear the religion that the prophets preached, that the Jewish scholars expounded, that the rabbis conserved, that the reformers of this nineteenth century again unfolded, will and must spread ever further. Judaism is in perfect harmony with the law of the land; the two agree perfectly because they can never come into conflict. All men are equal before the law, all religions, all opinions are equal before the law, all have the same rights and privileges. Therefore Judaism is never in harmony with any movement which looks toward having the government recognize any religious doctrine, tenet or practice; therefore Judaism is opposed to any government striving to amend the article of our constitution:

"Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof," for this insures that perfect religious liberty, which is the brightest jewel in the crown of our institutions; therefore Judaism says if there is anything, or if any contingencies (an occurrence, however, we can not conceive of) should arise in which the religion should be in conflict with the government, the religion must take the second place; for in Judaism there is no such thing as an *imperium in imperio;* we are Americans and Jews. Americans in nationality, Jews in religion; our aim it is to see that the two shall never come into conflict; each has its own field, each must attend to its own.

There is no such thing as a Jewish nation or a Hebrew people; the Jewish nation ceased to exist eighteen hundred years ago. There is no Jewish nation now, we are Jews in religion only. Jwe therefore is the proper name to be applied to us; Israelite is a misnomer, because that is the name of an ancient nation that exists no more; so also is Hebrew a wrong appellation, for if it is the name of the people speaking the Hebrew language, it certainly can not be applied to the Jews, because the least of them understand, much less speak Hebrew; if it is a race term, it is also a misnomer, because it is very doubtful whether there is one pure stream of the blood of the ancient Hebrews flowing through the veins of the Jews of to-day. Jew, and Jew alone, is the proper appellation of the religion which is named Judaism, not Hebraism, not Israelitism. If this is distinctly understood, namely, that we are Jews in religion only, then the whole present agitation as to having a separate Jewish exhibition at the World's Fair at Chicago will be seen to be ill-timed and out of place. The Jew in this country especially is distinct in his religion only; he is one with his neighbors in all else; everything separately Jewish outside of the religious field only tends to erect barriers between the Jews and the non-Jewish population; the tendency of Judaism as understood in its relation to the republican form of government is in the opposite direction, viz., toward a universalism, a breaking down of barriers, a going out from exclusiveness, a bringing all men nearer to one another. The idea of Jewish separatism is too widespread now. The Jews themselves may do nothing which shall tend to impress that thought more deeply on the minds of men. I believe it would be in place and proper for this conference here assembled to express its disapproval of that movement and to declare to the world at large that inasmuch as it is a separatist scheme it has not the sympathy of

the rabbis of the country. I believe this is due to the stand that Judaism and the Jews take in this country, being Jews in religion only, men like others in everything else. One more point. The great immigration of Jews into this country at present caused by the expulsion from Russia carries with it a great danger to Judaism in its relation to the republic unless proper steps are at once taken. These people, as in the case in New York, are apt to settle together in the same districts, and a foreign element is likely to grow up not in sympathy with republican institutions nor understanding republican ideas. Now Judaism wants no little Russia, no little Poland, no little Austria, no nationality here whatsoever except Americans, and the trustees of the Hirsch fund showed that they were actuated by the true American spirit when in founding schools for the children of these people they expressed their intention of keeping them together in the same school only so long as was necessary to enable them to learn the English language, and then to send them to the public schools to mingle with all other children. American teachers, Americau schools, not Russian teachers unless they have become Americanized, not Russian schools. Judaism is so thoroughly in accord with republicanism that it desires all its adherents to become imbued as soon as possible with free republican ideas. Therein lies their salvation. Therein lies the salvation of the world.

So then I have touched a few points of the relation of Judaism to the republican form of government. Both teach the same doctrine of freedom. Both exalt the dignity of man to the highest point. Both protest against the interference of the church in the affairs of the state, or of the state in the affairs of the church. Both say in regard to the efforts of any special form of religion to be recognized in the affairs of the government, or of any special laws that might curtail the rightful freedom of any individual to think or believe as he will, "Religion must always be distinct from civil government." Let each pursue its own path perfectly free and unhampered. The original intention of the founders of this government in this respect can not be improved upon. In the name of an Almighty God, creator of all human creatures alike, whose souls, the impress of the divine, stamp them as equal, as far as the right to live and be free is concerned; in the name of mankind, whose progress would be retarded for centuries should any retroactive measures be incorporated into the statute books; in the name of personal and individual liberty, which in being deprived of any one of its rights

is in danger of losing them all; in the name of enlightened religion, whose watchword is tolerance for all, Judaism protests against any attempt to force any such laws upon the government of this country, and the great mass of the American people, outside of the comparatively few who would bind the free conscience and actions of their fellows, likewise protest in as far as they desire the furtherance of the spirit of tolerance, justice and truth.

CONFERENCE OF RABBIS OF SOUTHERN CONGREGATIONS.

On April 14, 1885, the first Conference of Southern Rabbis took place.

The meeting was called to order by the Rev. Jacob Voorsanger, of Houston, Texas, who invited Rabbi Jos. Stolz, of Little Rock, Ark., to open the proceedings with prayer.

The Rev. James K. Gutheim was elected President by enthusiastic vote, and upon assuming the chair delivered a touching and eloquent address, in which the objects of the Conference were briefly defined. Then followed a permanent organization with the following result: M. Samfield, Memphis, Tenn., Vice-President; Jacob Voorsanger, Houston, Texas, Secretary; S. Hecht, Montgomery, Ala., Treasurer.

The following gentlemen answered to their names: James K. Gutheim, New Orleans; M. Samfield, Memphis, Tenn.; Jacob Voorsanger, Houston, Texas; S. Hecht, Montgomery, Ala.; I. L. Leucht, New Orleans; H. Berkowitz, Mobile, Ala.; Jos. Bogen, Greenville, Miss.; A. R. Levy, Athens, Ga.; B. E. Jacobs, Meridian, Miss.; L. Weiss, Columbus, Ga.; E. S. Levy, Natchez, Miss.; Jos. Silberman, Galveston, Texas; Jos. Stolz, Little Rock, Ark.; Maurice Eisenberg, New Orleans.

The following rabbis were enrolled at their written request: David Levy, Charleston, S. C.; J. S. Jacobson, Atlanta, Ga.; I. Lewinthal, San Antonio, Texas; E. L. Hess, Shreveport, La.

On the 15th of April, at 9 A. M., a second meeting took place at the hall of Tulane University. The following constitution was adopted:

CONSTITUTION OF THE CONFERENCE OF RABBIS OF SOUTHERN CONGREGATIONS.

PREAMBLE.

Recognizing the fact that Judaism in the South has developed to such an extent as to make periodical conferences of Rabbis desirable, we, the undersigned, convened in the city of New Orleans on

the 14 day of April, 1885, the 29 day of Nissan, 5645, do form ourselves into a permanent organization for the purposes and in accordance with the plan herein adopted.

NAME.

This organization shall be known as the CONFERENCE OF RABBIS OF SOUTHERN CONGREGATIONS.

OBJECTS.

The objects of this Conference shall be—

1. The interchange of opinions and views on all subjects appertaining to the functions of the Rabbinical office.

2. The encouragement and promotion of literary work relating to Judaism and its history.

3 The promotion of harmony and good will among its members.

4. The organization and government of congregational religious schools in accordance with the best methods.

MEMBERSHIP.

All rabbis not yet enrolled shall, on application, be elected by a two-thirds vote.

OFFICERS.

The officers of this Conference shall consist of a President, a Vice-President, a Secretary and a Treasurer, who shall be elected for a term of one year at the annual meeting, and perform the duties usually incumbent upon such officers.

EXECUTIVE COMMITTEE.

The Executive Committee shall consist of the officers of the Conference and three additional members, to be elected at the annual meetings; and their duties as such shall be—

1. To govern the affairs of the Conference during the time of its adjournment.

2. To issue the call for meetings.

3. To answer all questions that may be propounded to them by members of the Conference in relation to objects for which the same has been founded.

4. To exercise their good offices for arbitration in any emergency that may arise involving the interests of congregations and ministers.

5. To assign the subjects for papers and descussions, and appoint the persons who are to prepare the same.

TIME OF MEETING.

The sessions of the Conference shall be held annually at the place decided upon at each previous meeting.

DUES.

The annual dues shall be two dollars, and be paid in advance.

RULES OF ORDER.

Roberts' Rules of Order shall be guide in all matters pertaining to the government of the Conference not herein provided.

The Constitution may be amended at any regular meeting by a vote of two-thirds of the members present; provided that amendments have been previously submitted to the Executive Committee.

After the morning hour had expired, Rabbi Jacob Voorsanger read an essay on "The Synod" which elicited considerable discussion.

During the evening session, Rabbi S. Hecht read a paper on "The Pulpit," which was received with approbation and discussed at length. The following resolutions were adopted:

1. This Conference has experienced profound satisfaction in visiting the charitable institutions in the care of the Jewish community of New Orleans.

2. We find these institutions in an excellent condition and pledge our moral support to their maintenance; we also promise to interest our congregations in their behalf.

3. This Conference cordially joins the Eastern Conference of Jewish Ministers in an expression of sympathy with and a pledge of support of the *Alliance Israelite Universelle.*

It was, on motion, ordered that the Secretary enter into correspondence with the Secretary of the Eastern Conference, requesting an interchange of views and opinions.

Ordered, that the Secretary communicate with the members of the Conference, requesting titles of papers and essays to be sent before June 1st.

Ordered, that the preliminary Constitution be printed and a copy of the same sent to the congregations with the request that it be filed with the archives.

The hour of adjournment having arrived the President led the Conference in a fervent and earnest prayer, whereupon Conference

adjourned to meet again in New Orleans in the month of October, 1885, the exact day to be fixed hereafter by the Executive Committee.

(Signed) JACOB VOORSANGER, *Secretary.*

Approved.

(Signed) JAMES K. GUTHEIM.

SECOND SESSION.

NEW ORLEANS, LA., December 29, 1885.

[Secretary's Memorandum: The Executive Committee having decided that October was not a suitable month for the Second Session of the Conference, agreed upon the above date, and the call was made accordingly.]

The Second Session of the Conference of Rabbis of Southern Congregations met on the above date, at 10 o'clock A. M., at Harmony Hall. President James K. Gutheim called the Conference to order and requested Rabbi S. Hecht to lead in prayer. The roll being called, the following members answered to their names: H. Berkowitz, Mobile, Ala.; M. Eisenberg, New Orleans, La.; James K. Gutheim, New Orleans, La.; S. Hecht, Montgomery, Ala.; S. L. Hess, Shreveport, La.; B. E. Jacobs, Meridian, Miss.; J. S. Jacobson, Atlanta, Ga.: I. L. Leucht, New Orleans, La.; A. R. Levy New Orleans, La.; E. S. Levy, Natchez, Miss.; I. Lewinthal, San, Antonio, Texas; J. Stolz, Little Rock, Ark.; Jacob Voorsanger, Houston, Texas; L. Weiss, Jackson, Miss.

ABSENT.

A. Blum, Augusta, Ga.; J. Bogen, Greenville, Miss.; M. Samfield, Memphis, Tenn.; J. Silverman, Galveston, Texas; D. Levy, Charleston, S. C.

The minutes of the session of April 14th–15th were read and approved.

The following gentlemen were elected: H. M. Bien, Vicksburg, Miss.; D. Kaufman, Selma, Ala.

The President, Dr. James K. Gutheim, submitted the report, praising the fraternal sentiments and homogeneity of religious conceptions prevailing at the conference to a degree unsurpassed and scarcely equaled by any similar association in the range of Judaism. He further counseled "the desirability of an unbroken union in American Judaism, as far as consistent with principle, and shall cheerfully

co-operate with similar organizations in every endeavor that is calculated to elevate the character of Judaism and to promote the cause of true progress and reform."

Since the organization of our Conference, in April last, an event has occurred which will mark an epoch in the history of Judaism. I refer to the Rabbinical Conference recently held at Pittsburg, Pa. At this Conference a *Declaration of Principles* has been adopted, which has caused an unusual stir in American Judaism. An authentic version of this declaration is published in the *American Israelite*, and I feel prompted to embody the same in my report.

Upon the reassembling of the Conference later in the afternoon the Rev. James J. Gutheim read an essay entitled "Cause, Development and Scope of Reform." At the close of the same an extended discussion ensued, after which the following resolutions were passed unanimously:

Resolved, That the essay of the Rev. James K. Gutheim, President of the Conference, entitled "Cause, Development and Scope of Reform," fully expresses the ideas and sentiments we cherish on this subject.

Resolved, That this essay be published at the expense of this Conference and spread throughout all the Southern Jewish Congregations.

I. L. Leucht.
E. L. Hess.

The Rev. L. Weiss then read a paper on "The Efficacy of Prayer," after which the Conference adjourned until Wednesday morning at 10 o'clock at Harmony Hall.

Wednesday, December 30, 1885.

The meeting was opened with prayer by H. Berkowitz, of Mobile.

The Committee on President's Report made the following report:

Resolved, That a committee of five be appointed to present to the next Conference an elaborate opinion, whether and how uniformity in text-books and prayer-books in our schools and synagogues can be secured.

Resolved, That a committee of three be appointed to formulate drafts for the following rituals to be conducted hereafter: 1st, for the ceremony of marriage; 2d, for the rite of confirmation; 3d, for the burial of the dead.

Adopted as read.

It is further recommended:

Resolved, That a committee of three be appointed to present to the Executive Committee a course of normal instruction adapted to the needs of teachers in our religious schools and a plan for putting the same in practical execution.

On motion, consideration of this clause was deferred until after the reading of Rabbi Berkowitz's paper on "A Course of Instruction for Normal Classes."

II. ALLIANCE.

We recommend the adoption of the following resolution:

Resolved, That we sincerely reiterate our pledge in support of the *Alliance Israelite Universelle*, made at the last session, and recommend that each rabbi earnestly endeavor to form a branch of this society in his community.

Amended by Rabbi Samfield:

Furthermore, that collections shall be made each Purim day toward aiding the *Alliance* in its noble work.

The amendment and original resolution were unanimously adopted.

III. HEBREW UNION COLLEGE.

We recommend the following for adoption:

Resolved, That in recognition of the success of the Hebrew Union College and the able, unselfish and faithful labors of its President and faculty, this Conference does firmly and enthusiastically pledge the full measure of its moral support to the U. A. H. C. and the Hebrew Union College.

Adopted unanimously.

IV. MENDELSSOHN CENTENARY.

The following is recommended for adoption:

Resolved, That the Conference recommend, that in commemoration of the one hundredth anniversary of the death of the illustrious philosopher, Moses Mendelssohn, every rabbi in his sermon on January 8th recount the history of the life and works of the departed sage: furthermore

Resolved, That for the purpose of spreading a knowledge and appreciation of his labors, we urge upon the publishers the speedy publication of "The Life and Works of Moses Mendelssohn" in the English language, as prepared by the Secretary of this Conference, the Rev. Jacob Voorsanger.

Adopted unanimously.

V. PITTSBURG CONFERENCE.

We recommend the following for adoption:

1. This Conference has subjected the principles enunciated by the Pittsburg Conference to an anxious and rigorous examination. This duty was imposed upon it by the many false impressions prevailing among the people as to the true meaning of these principles; and we, therefore, deem it our duty to declare that they are in harmony with the spirit of progressive Judaism, and must be regarded as the inferences made by Jewish teachers from the oldest conceptions of our faith.

After lengthy debate this clause was adopted without a dissenting vote.

Pending the discussions, Col. Edwin I. Kursheedt, President of the Home for Jewish Widows and Orphans, was introduced to the Conference and thanked the members for the zeal and energy they had displayed in collecting funds for the erection of a new Home.

Conference then adjourned for one hour.

Upon reassembling, the Committee submitted the following additional considerations to the matter under discussion:

2. We, however, individually and collectively, reserve the right to dissent from any practical deductions that have been or may be drawn from them.

Assented to by all members, excepting Rabbi Samfield.

3. Referring to the report of the President, we, the members of the Southern Conference, do hereby declare that the observance of the Sabbath of the Decalogue and the practice of the Abrahamic rite are just as binding to-day upon Israel as they ever were.

This clause also provoked considerable discussion, but was finally adopted by a vote of thirteen ayes against two nays.

Samfield voted no, for the reason that, according to his opinion, there existed no necessity for such a declaration at the present time.

Bien voted no, because, in his opinion, the declaration was unnecessary, impolitic and uncalled for.

Whereupon the report was adopted as a whole, excepting the last section of Clause 1 which was reserved for future consideration.

The Rev. E. L. Hess, through the President, submitted a protest of his congregation against the action of the Pittsburg Conference.

The protest was not received, as it should be addressed to the Pittsburg Conference.

The Committee on Resolutions reported:

Resolved, That a committee of five be appointed from this Conference to gather all available matter bearing upon the history of the Jews in the Southern States, from the formation of the oldest congregations in Savannah, Charleston and New Orleans, until the present; the said matter being intended to assist in the preparation of a history of the Jews in the United States.

Adopted.

The reading of papers being in order, the Rev. E. L. Hess read an instructive essay on "The Shulchan Aruch," and the Rev. H. Berkowitz "A Course of Study of Normal Classes."

The latter was ordered printed by the Conference.

THURSDAY, DECEMBER 31ST.

The proceedings were opened with prayer by the Rev. I. Lewinthal, of San Antonio.

The usual votes of thanks were passed, and dispatches and greetings exchanged with the Conferences.

The paper of Rabbi Voorsanger on "Uniformity" was referred to a committee for report at the next Conference.

The different committees were appointed and the officers re-elected, and Messrs. I. L. Leucht, H. Berkowitz and E. S. Levy as Executive Committee.

Rabbi Joseph Stolz moved the following:

In recognition of the conscientiousness, earnestness and zeal with which our venerable President, Dr. Gutheim, attended to his onerous duties, and the fairness of his decisions as the Chairman of the Conference, and in appreciation of his scholarly essay, this Conference does hereby extend to him its sincere and profound thanks, and expresses the prayer that God may spare him to us many more years, that he may continue his valuable labors in behalf of Judaism, the promotion of the interests of Southern congregations and humanity in general.

Adopted with loud applause.

Conference resolved to visit Mesdames J. K. Gutheim and I. L. Leucht in a body.

The hour of adjournment having arrived, Vice-President Samfield led in an earnest prayer.

Whereupon the President declared the Conference adjourned to meet again December 29, 1886, at Atlanta, Ga.

[APPENDIX E.]

THE MILATH GERIM QUESTION.

RESPONSE BY DR. AARON HAHN.

The portals of Judaism were always open to proselytes that came in the name of God; and they were not merely welcome, but were treated with great kindness and consideration.

The Talmud divides the proselytes into two classes. Such (Ger Toshab) as settled among the Jews without a design of embracing Judaism formally. They had to observe the seven laws of the Noachic religion, which were: Observance of the civil law and the prohibition of idolatry, homicide, incest, blasphemy, vivisection and robbery. Proselytes who observed Judaism in its entirety (Ger Zedek) formed the other class. They had, first of all, to undergo the Abrahamitic rite of circumcision.

The history of Judaism shows that in every age proselytes came to join the Jews, but there is no precedent on record that a male proselyte had been considered a Jew without having first undergone circumcision.

Josephus (Antiquit. xx.) tells that the royal proselyte Izates, of Adiabne, was taught by his teacher, Ananias, a Hellenic Jew, that circumcision was dispensable, but when Izates had later heard from a Jew from Jerusalem that it was not so, and that circumcision was an essential of Judaism, he did not hesitate to have it performed on himself.

But it was not merely the Jews, also the Apostles of Jesus, of Nazareth, considered the circumcision binding upon their followers; and great was the stir among them when they became aware that Paul, the heathen apostle, was admitting proselytes into the Christian fold without insisting upon their being circumcised.

It was, most likely, in opposition to Paul's Christianity that Rabbi Akiba said, it is not enough to circumcise merely the foreskin of the heart, of the ear and of the lips, but one has to be circumcised also in the flesh.

ר׳ עקיבא אומר ארבע ערלות הן נאמר ערלה באוזן ונאמר ערלה בפה ונאמר ערלה בלב ונאמר ערלה בנוף ונאמר לו התהלך לפני והיה תמים אם ימול מן האוזן אינו תמים מן הלב אינו תמים מן הפה אינו תמים ומהיכן ימול ויהיה תמים הוי אומר זו ערלת הנוף (Midrash Rabba Genesis 46.)

Judging by this, one would be inclined to think that the circumcision is indispensable to become a Jewish proselyte. The following argument is to prove that it is not so.

The Rabbi Lipman Mulhauser, who lived in the sixteenth century, declared in his polemical work, Sefer Nizzachon (Sidra Lech Lecha and Wayeyra) that the Abrahamitic rite of circumcision is a mere ceremony, and by no means, as some claim it to be, an essential of Judaism. This is a very important remark coming from such a great authority, but as he treats of circumcision merely in general, his words do not prove so much in the Milath Gerim question as the following quotation from the book Sefer Mayim Amukim (שאלות ותשובות) (No. 27) by Rabbi Eliah Misrachi (he lived in the fifteenth and sixteenth centuries), does: ומה שאומר אי לא טבלה לגירות וגו׳ היינו להכשר הולד שיולד ממנה דלגבי הולד מוקמינן אדאורייתא ומדאורייתא סגי בקבלת תורה בפני ב״ד לבד אפילו אם לא במילה ולא בטבילה.

Rabbi Eliah Misrachi's idea is that while the mother should take a ritual bath in order to become a Jewess, her boy, who was born at that time, is, according to the law of Moses, מדאורייתא, not necessitated to be circumcised nor to take the ritual bath. He should be admitted upon the strength of a religious vow.

But while Rabbi Eliah Misrachi had occasion to express his opinion merely as to a boy that was born already when his mother embraced Judaism, it is Rabbi Juda Arye Modena (1571–1648) who gave the Milath Gerim question his full attention; and in his book Bechinath Haccabalah, published in 1852 by Isaac S. Reggio, he expresses himself as follows: *A proselyte who comes to embrace Judaism should be told what the sense of the circumcision is. If he does not care to be circumcised let him take the ritual bath, and in virtue of that ceremony, he shall be considered a Jew in every respect. But if to such a proselyte is born a male child after he embraced Judaism, he shall have it circumcised.*

הוצרך למול ולטבול כל גר כפי סדרם ולא הבינו ולא שתו לבם על דברים שיסוד האמונה תלוי בהם וגדולתה והצלחתה רצוני בזה שהיה להם לבאר שכל הבא להתגייר אחר ההתראה בו וחקירה שיתברר לנו ביאתו לש״ש לא לתכלית חיצוני יודיעוהו מעלת המילה ושכרה אם ירצה למול עצמו הרי טוב ואם לא יטבול ויהיה יהודי ויספיק לו זה להיות כשר לעדות ועריות

ירושה והורשה וכל דבר כשאר עם ישראל ולא לעשות נכסיו הפקר ודיני סדום אשר צוו בזה אמנם בנים אשר יולדו לו אחרי גיורו ימולו לשמונה ימים כי כבר היה להם על מה שיסמוכו בתורה שהרי גר תושב לא הוצרך למול את עצמו ולא היה לו זה עיכוב אלא באכילת הפסח לא זולת וביתרו ובשום גר שנתגייר לא נזכר בתורה שמל את עצמו והיה זה מיקל על העמים לשיוכלו לבא תחת כנפי השכינה או לקבל עליהם עול תורתנו אם יהיה קל ונעים ביותר.

This argument of the Venetian rabbi, Juda Arye Modena, needs no backing of authority; it is self-evident, plain and irrefutable. He is right in alleging that in the law of Moses nothing is said as to the circumcision of a proselyte, except that a proselyte who is not circumcised is excluded only from the participation in the celebration of the Paschal lamb (Exod. xii. 43–50).

וכי יגור אתך גר ועשה פסח ליי המול לו כל זכר ואז יקרב לעשותו והיה כאזרח הארץ וכל ערל לא יאכל בו.

It is almost superfluous to remark that the whole Paschal ceremony has lost its binding virtue since the destruction of the Second Temple at Jerusalem.

But even according to Genesis (xvii. 9–15), the circumcision shall be performed only on the child that is born into the Jewish family and on the Gentile that is bought for money.

זאת בריתי אשר תשמרו ביני וביניכם . . ובן שמונת ימים ימול לכם כל זכר לדרתיכם יליד בית ומקנת כסף מכל בן נכר אשר לא מזרעך הוא המול ימול יליד ביתך ומקנת כספך והיה בריתי בבשרכם לברית עולם.

It is strange to think of it, that while the law of Moses disqualified an uncircumcised proselyte merely from the observance of the Paschal celebration, it was the rabbinical law that went so far (Jebamoth 102) as to disable even the circumcised proselyte from the performance of the Leviritical ceremony.

גר דן את חברו גר . ואם היתה אמו מישראל דן אפילו ישראל ולענין חליצה עד שיהיה אביו ואמו מישראל שנאמר (רות ד׳) ויקרא שמו בישראל.

From this my argument, it follows that though there is no precedent on record that there was, even in mediæval Judaism, a proselyte recognized to be a Jew before he underwent the circumcision, the idea that circumcision is not absolutely necessary to become a Jewish proselyte was advanced and admitted, not merely as stated above already in the sixteenth century by great rabbinical authorities, but also in the first century of the Christian era. A great teacher of the Mishna epoch, the Tanaite, Rabbi Josua ben Chananyah was teaching (Jebamoth 46) "a Proselyte who takes merely a ritual bath, but does not undergo

the rite of circumcision, is a Jewish proselyte." גר שטבל ולא מל הרי זה גר.

I for one am in favor of the abolition of the Milath Gerim, but being that the Milath Gerim question is in one respect another version, and the final solution of the "Mixed Marriage Question," I take the libery of making the following suggestion:

The Central Conference, should it decide in favor of the abolition of the Milath Gerim, may at the same time decide that every Jewish minister (members of the Central Conference) shall communicate that decision to his congregation, and shall, in his official functions, consider himself duty bound to abide by the decision of his congregation. In questions of such vital importance the congregations have a right with reference to the deliberation of the Central Conference to decide for themselves. In so doing, we act in conformity and continuity with the ways of great mediæval Jewish conferences, whose decisions become binding laws only after the congregations approved of them and adopted them.

RESPONSE BY DR. ISAAC SCHWAB.

To deal with this question is not an easy task. There are too many views and considerations that have to come into play, if we want to do justice to the undertaking. It is especially difficult to elaborate this most important theme so that ample historical and theoretical light be thrown upon it, if we are limited within the confines of a space of time, such as has been proposed for the reading of its elaboration by your Executive Committee. I shall, however, endeavor to make the best and most of the task the latter have assigned to me, and the opportunity offered for elucidating my own views. This will be done principally with the aid of historical data. The following disquisition will have to be regarded only as a modest contribution toward the solution of the grave problem of the admission of proselytes to our faith.

Let us say at the outset that it can not be questioned that since immemorial antiquity the initiatory rite was insisted on in Israel as the indispensable requisite for the complete admission to their community of Gentile aspirants. As positively authoritative and fundamental, from the standpoint alike of ante-Mósaic doctrine and of Mosaism, must appear to every serious reader of Scripture and history the sentiment expressed in Genesis xxxiv. 4–6, in the account of the Schechemite affair. The old Israelitish standard is

here clearly defined. It was that for equal legal intercommunion between original non-monotheists and Israelites the submission of the former to the initiatory rite is the "conditio sine qua non." An entire parity between both was considered to be accomplished in no other way than by undergoing that rite. And it may be safely asserted, too, that from the early period of Jacob's sons to the latter days of Israel's Second Commonwealth, no Israelitish authority has ever relaxed that stern demand. The insistance on the Abrahamic rite for the formal entrance into the congregation of Israel—Kahal—was the rule laid down immovably and observed conscientiously throughout all ages by our ancestors in the East who adhered faithfully to the belief and worship of God. As far as we can judge from extant history there was never before the apostle of the Gentiles, Paul, a Jewish authority that doubted the indispensable obligation of the initiatory rite upon any convert from paganism who wished to become totally assimilated to the Israelites as to all communal and spiritual claims. Paul was evidently the first decided innovator on this point. And he was, too, the first adherent of the new Christian faith who taught Gentile converts that they can be accounted its thorough votaries and be saved without the initiatory rite and the acceptance of Mosaism generally. Nay, he went in his opposition to Mosaism which he positively abrogated by Jews, so far as to "deny to all who adhere to law and circumcision any share in the kingdom of the Messiah." See Gal. iii. 10, and v. 2, and Zeller, "Acts of the Apostles," II., p. 275. That Paul practically dissuaded Gentile converts to the new Christian community from undergoing the initiatory rite, appears clearly from Gal. v. 2. Yet besides him and his few followers from the Jews, there never entered, we pretend to assert, the mind of any one of the Jewish Christians of the early times of the new church the idea of emancipating converts from the Abrahamic rite, if they wished to acquire a true and thorough fellowship with the originally Jewish professors of Christianity. And that within the pale of the true Jews no authoritative dispensation of full proselytes from the initiatory rite was ever decreed by the ancient doctors is to me beyond any doubt.

The rule of such admission was unalterably fixed, and no orthodox Jewish theologian ever dared to question its perpetual obligation. Not only was the before noted instance of the Schechemite affair a paramount evidence of such obligation, but there is another strong and valid support to the insistence on the initiatory rite for entire converts offered in the Mosaic law of the Passover sacrifice.

The "Ger" was debarred from it unless he would undergo the Abrahamic rite. See Ex. xii. 48, sq. That the sign of the covenant should have been demanded of a proselyte but for the participation in the Passover rites, and not for other occasions and cases of national-religious life, is an hypothesis not warranted in the least by a common sense interpretation of Scripture. To such an hypothesis there are to be objected the following points:

First, the statement repeated several times in the Mosaic code that *one law* should govern the native and the stranger (Ger), can literally mean nothing else than that a foreigner, settled in a Jewish land, should be bound to live up, in all respects, to the same law the Israelites have to observe; see especially Numbers xv. 14, 15, 29; also ib. ix. 14. The phrase "one law" or "one statute" and the like, is altogether too general to be applied to the singular enactments in which it is mentioned; compare, as to the same view, Mechilta, ch. xv., end. Secondly, there is, if we uphold the initiatory rite as meant for the passover sacrifice only, no just and reasonable cause whatever imaginable, why a proselyte should, in an uninitiated state, have the privilege of offering other sacrifices, such as free-will and festive ones (Numbers xv. 14, sq.), or should have equally with an Israelite to bring sin-offerings for trespasses of ignorance (ib. 29). That the Passover sacrifice should have intrinsically a more sacred worth and import, is not to be assumed at all. At least not according to the Rabbinical notion, ranging sin-offerings among the "most sacred" things, whilst both the Passover and festive sacrifices are denominated "inferior in holiness." The inevitable conclusion, therefore, is that, though the Mosaic code has not expressly mentioned initiatory rite in connection with those other sacrifices, it was silently understood as a prerequisite. Thirdly and mainly, we have to say that, if the initiatory rite had been demanded by law for participation in the Passover sacrifice only, it can in no manner be accounted for why an uninitiated "Ger" should have been constrained by the same law to rest on the Sabbath day, to observe the Day of Atonement, to rejoice on the festivals of Shabuoth and Suckoth (Deut. xv.), to attend the septennial public reading of the Torah (ib. xxxi. 12); and, further, should be prohibited to eat leavened bread on the Passover festival, or to sacrifice outside the precincts of the national sanctuary (Lev. xvii 8, 9), to eat blood (ib. 10), to commit any of the grave sins of incest and sexual impurity (ib. xxiii.); or that he should, like the Israelite, be ceremonially defiled if he chanced to eat "Nebelah" or "Terefah" (ib. xvii.

15), or have to undergo the solemn rites of purification after contact with a corpse (Numbers xix. 10). If we consider, further, the restraint of the Moloch worship (and self-evidently any other idolatrous service) and of blasphemy, and the many civil and social Mosaic commands to and about a proselyte, chief among which latter is the precept to love him as one's self (Lev. xix. 34), there is in very fact not very much left, either of the ceremonial or political enactments, in the heeding of which he was not expressly included. Is it not, therefore, very likely that the Mosaic law had, even in those injunctions in which the "Ger" is not specially mentioned with the native Israelite, presupposed his equality of obligation or benefit, as the case might severally be. And if this be so, is it, let us ask, conceivable that such fairly total equality* would have been accorded to a person from the pagans who was not assimilated to Israel by the sign of the covenant? Is it reasonable, let us further ask, to suppose that a "Ger" who, as it appears from Deut. xxix. 10, sq., was joined to the Israelites for "entering the covenant" of service to God and assuming all the solemn obligations it implied, was Mosaically exempt from the signature of the anterior Abrahamic covenant?

And yet, for all the force of the foregoing arguments, there were and are but few who would construe the Mosaic "Ger" on the whole as other than an uninitiated half-proselyte.† The ancient Rabbis,

*An entire social recognition of the "Ger" on a footing with the born Israelite seems, however, despite the many ordinances enjoining his legal and communal equality, not to have prevailed even in Mosaism. His inferiority in the scale of social standing is readily to be inferred from Duet. xxviii. 43 and Lev. xxv. 47, and possibly also from Deut. xxix. 10, where "the hewer of thy wood, etc." may stand in opposition to the preceding "thy stranger."

†Michaelis, "Mosaic law," II. §139, seems to be correct in saying that it is to be justly inferred from the rest of the Mosaic laws that, whoever wanted to join the Israelitish community, had to be circumcised."

See also Philippson, in his commentary on Ex. xxii. 20, who holds it as questionless that the "Ger" of the Mosaic Legislation was uniformly meant to be no other than the foreigner settled in the Jewish land, and who had embraced the Mosaic religion and been received into it by the initiatory rite. Differently, again, judges Holdheim in his monograph on the latter, published in 1844. He asserts decidedly that the Mosaic "Ger" was exempt from all those ceremonial obligations not specially enjoined in the Torah, consequently also from the initiatory rite.

Saalschuetz holds a middle position. The entrance into Israel's civil community was to him, according to Mosaism, not dependent upon his accept-

too, have in most instances of the Torah where the "Ger" is mentioned, discovered in him an uninitiated non-Israelite who would settle in the Jewish land, abjure polytheism, and adopt besides a small number of religious ethical precepts. It was they from whom we received the theoretical distinction between a "Ger Toshab" or "God-fearing" convert, and a "Ger Tsedek," or "Ger Emeth," a true proselyte who, by accepting the initiatory rite and withal the obligation to conform to the Mosaic religion with its ceremonial observances, became a real convert and entire Jew, entitled to the privilege of intermarrying with the Jewish people. How far back in our history this discrimination reaches, can not be ascertained. Possibly the early expounders of Mosaism, the Scribes who lived from Ezra onward, have already divided the Mosaic "Ger" into two classes. They may have primarily been induced to do so by the peculiar circumstance that the "Ger" was once, in Duet. xiv., declared free to eat dead flesh. This seeming lapse from the lofty religious and civil position otherwise assigned to the "Ger" in the Torah, probably determined those early expounders of the law to impute to Mosaism a two-fold sense of the word, viz., that it should once mean an entire and again a half-proselyte.

It would be beyond the scope of the present disquisition to follow out this suggestion further. This much we will yet mention here, that our older Rabbis have surely been most arbitrary in their distinction between the Mosaic Ger. Glaringly does this appear from their exposition of the Sabbath observance commanded to the Ger.

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ance of the Mosaic ritual and the initiatory rite. Yet he considers it probable that, though civil rites were awarded even to the uninitiated foreigner who settled in the Jewish land (Ger), the custom prevailed since the earliest times of the Mosaic polity to refuse giving an Israelitish maiden in marriage to any one descended from heathens, unless he would undergo the initiatory rite ("Archæology," II. pp. 262-63).

In his "Mosaic Law," p. 688, he has, however, expressed himself more positively on the point of intermarriage. "The uninitiated Ger," he says there, was, further, not permitted to marry an Israelitish woman. This is, indeed, not expressly stated. But it is a matter of course that an Israelite would, pursuant to the ancient custom alone (see Gen. xxxiv.), not have given his daughter in matrimony to an uncircumcised person of another nation." He might properly have added that intermarriage with pagans not formally converted to the Israelitish religion would have been rigidly eschewed by every faithful Israelite from the Mosaically stated apprehension of seduction to false worship; see as to the seven Palestinean nations, Deut. vii. 3, 4, and as to idolatrous and polytheistic nations generally, Ezra ix. and Neh. xiii. 23, sq.

The passage in the Decalogue, Ex. xx. 10, they construed to refer to a true and entire proselyte, whilst that of Ex. xxiii. 12, they explained as bearing on a half-proselyte; see Mechilta, Jethro, ch. 7, and B. Yebamoth, f. 48.

Yet for all the uncertainty in the definition of the Mosaic "Ger" as to the two aforesaid relations established by the Rabbis and possibly already by the anterior Scribes, we have to assert as an incontrovertible fact that all our ancient theologians held fast to the initiatory rite as the indispensable condition of the admission among Jews of proselytes, who wished to become full members for all national religious purposes. And we may put it down as equally indisputable that, whilst in the earlier periods of Israel's history the bare initiatory rite may have been deemed sufficient for a thorough incorporation of a proselyte among Israel, in the later times, particularly since the legal reorganization of the Jewish State under Ezra and his co-laborers, and from their days forward, the Jewish authorities held it unquestionably incumbent upon the neophyte who underwent the initiatory rite, to conform to the whole religious practice established for the Jews themselves, and to carry himself in all national religious respects as one of them.

That this was the inflexible norm, is evident even from the apostle Paul (Gal. v. 3). The norm of formally adopting the whole Mosaism may perhaps be traceable already to the times of Isaiah II. In assuring the alien who had "joined himself to the Lord," that is, was converted to Judaism, that the Lord would not sever him in His mind from the natural Israelites, the prophet, we maintain, never thought for one moment to accord to such a proselyte an equality like this, unless he would sincerely and faithfully embrace Monotheism with the entire ritual prescribed in the Mosaic code. For the prophet mentions expressly that the proselyte must "choose the things that please the Lord," and "take hold of His covenant," which covenant can, we hold, have signified nothing else than the Mosaic religion in its entirety. He specifies there the Sabbath as one of the observances required of the proselyte, that he may be rendered really equal and perfectly united to Israel by the sanction of God. It is, however, safe to presume that he mentally alluded to the whole Mosaic ritual, *as this made up the "covenant" in a comprehensive sense.* ("Berith" is in the later Hebrew literature frequently used for the entire Mosaic religion.) But whether or not Isaiah's words are open to such a construction, it will doubtless be allowed by all as quite probable that at least in the times of the early Scribes

the norm was already fixed invariably, that for full national religious fellowship the proselyte had to accept the initiatory rite with the rest of the Mosaic appointments as their rule of life.

And it is as likely that to the early Scribes is attributable also the institution of immersion (Tebhilah) and sacrifice (Korban). What their motives were in introducing these two additional rites can not here be investigated. Nor can we here enlarge on the authentication of the additional, extra Mosaic rites by the theologians of the Rabbinical age.

Whether they were in all cases of conversions observed and upheld as indispensable in the Persian, Greek, and Maccabean periods, we are not enabled to learn from any extant data. Let us say that we do not hold it likely that in the mass conversions imposed by the Maccabean princes, John Hyrcanus, Aristobulus I., and Alexander Janneus (see Jos. Ant., xiii. 9, 1; 11, 13; 15, 4) any other initiatory ceremonial was exacted than circumcision.

Yet this initiatory rite was invariably insisted on for the reception of full proselytes according to all that we know from history.

Josephus has clearly enough intimated (see Ant., xx. 2, 4, and our "The Sabbath in History," p. 110) that up to his time the acceptance of the initiatory rite was the firmly instituted rule for the entrance of proselytes into the union of Israel as entire members. In the century in which he lived, the Jews had probably put forth the greatest energy and doubtless scored the most signal and widespread victories in the propagation of their religion. In the time of the Emperor Claudius the conversion of the Adiabene royal family took place. The King Izates acted upon the dominant principle that for being "thoroughly a Jew," the initiatory rite was indispensable.

The interference of the merchant Ananias, who dissuaded him from undergoing it for political reasons, can not be held out as an instance that it was not universally held indispensably obligatory for the entrance of proselytes into close religious relations with the Israelites. For not only had this propagandist recognized and avowed that rite as divine and ordinarily indispensable, we have to urge that the opinion of an *unlearned* personage, such as the merchant Ananias undoubtedly was, can not be quoted as of any account againt the affirmation of the Galilean Jew, Eleązar, who "was esteemed very skillful in the learning of his country," as Josephus characterized him. This learned man opposed the omission of the rite by Izates as an "unjust breach of the principle of those laws."

His opinion was without any doubt in complete accord with that of all the other Jewish doctors and authorities of his time.

The Jewish theologians of those days were, we positively hold, unanimous on the point of the admission of Gentile converts. They were all agreed that the initiatory rite is indispensable for those aspiring to be entire converts and full members of the "Kahal," entitled to marry from its midst. There is no divergent opinion of any ancient theologian, whether of the Hillelite or Shammaite school, to be made out from accessible accounts of our literature.

From Hillel, who flourished in the Herodian period, to Joshua ben Chananiah, whose prominence as teacher and leader in national affairs extended from the latter part of the first to about the end of the third decade of the second century C. E., the principle prevailed unqualifiedly that the initiatory rite is indispensable to converts for their full national religious fellowship with Israel. We bring forward especially these two great doctors, because some modern critics have imputed to them a downright deviation from that principle. One of those critics, Dr. Gruenebaum (in Geiger's "Zeitschrift," 1870), presumes quite confidently that Hillel had already set the example, followed afterward by Rabbi Joshua of recognizing a proselyte as fully converted by the rite of immersion without undergoing the "hard initiatory rite." He lays great stress on Hillel's "mildness," pretending it to have been active and decisive in the proceedings of receiving proselytes, which mildness he claims was practically dominant even afterward, during the remainder of the Temple period. He holds, moreover, that Hillel's "mild spirit" was at any rate really actuating Johanan's pupils, Eliezer and Joshua, in that the former declared the initiatory rite as sufficient, and the latter the rite of immersion. However, he concedes provisionally that neither of these doctors may have directly emancipated proselytes from those combined two rites: they may only have sanctioned the conversion as religiously legal, if it had chanced to be consummated with only one of them.

It is difficult to perceive what may have prompted that learned German rabbi to put forth such hazardous, unwarranted conjecture. We have to say that to make out those two pupils of Rabbi Johanan, who were moreover adherents of the two opposite and rival schools, the Shammaite and Hillelite, as animated by the "mild spirit" of Hillel regarding the reception of proselytes, and to attempt it on no other grounds than the notorious scholastic debate recorded in B. Yebamoth, f. 46, is as bold a conjecture as to propose that Hillel

broke away from the norm, dogmatically settled in Judaism before and at his time, that for the perfect admission of proselytes the initiatory rite (or rites) is imperatively requisite, and this upon no other evidence than the Talmudical stories produced in B. Sabbath, f. 31. Yet Dr. Gruenebaum had the courage to make such assertions. In our country some similar views have been ventured and published about Hillel's and Joshua's positions on the admission of proselytes. I refer, e. g., to Felsenthal's "Proselytenfrage," a well-known pamphlet given out in 1878, page 23.

Now let us see if there is any foundation to the assumption that alike Hillel and the late adherent to his school, Rabbi Joshua ben Chananiah, were so "mild" as to hold the initiatory rite dispensable for full proselytes.

HILLEL.

To begin with this renowned scholar and sage. There are three stories reported in B. Sabbath, f. 31, of heathen applicants for admission to Judaism, who were troubling alternately Shammai and Hillel with impertinent requests relating to their intended conversion. There is not the least doubt in our mind that these stories are nothing but popular legends, and not in the least available for direct historical reference. They can, therefore, not supply any dogmatic evidence at all. That there is a small kernel of real history concealed in the chaff of those fabricated narratives, we are ready to admit, yet it would be beside our present purpose to enter into an investigation as to what that may be. We would rather go at once to the refutation of Gruenebaum's construction put upon those accounts.

Hillel, he maintains, was reformer enough to put into practice "the new idea of the admissibility of pagans" by exacting from the one or other applicant neither the initiatory rite nor immersions or sacrifice. He was satisfied in one case that the would-be proselyte should accept as binding only the written but not the oral law, and in another that the convert should merely avow "the obligation of universal human love." And he did not hesitate—so argues our critic—to unite such pagans to Judaism as legitimate communicants, without obligating them to any initiatory ceremony. How any student of Rabbinical lore can seriously put forth such anomalous, hollow conjecture we are at a loss to comprehend.

Moreover, we have to assert that those Talmudical stories can not possibly bear the test of critical scrutiny. Must it not, we ask,

occur to every thinking reader of the Talmud as well nigh impossible that there should ever have been a heathen applicant for conversion, silly and impudent enough to approach either one of those scholastic dignitaries with a demand like that reported in the Talmud, to admit him as a Jew if he were taught the whole Torah (Jewish religion) while standing on one foot? And is it not equally unimaginable that Hillel, who is said to have crammed the whole Torah in the nutshell of the negative "golden rule" to accommodate the impetuous applicant, should have given this rule forth in the far-reaching significance of dispensation from any Jewish religious belief and practice? It is quite probable, we own, that Hillel had frequently used the sentence, "What is hateful to thee, etc.," when moralizing upon mutual human duties. He may even have used it purposely in the instruction occasionally given to Gentile converts, it being a brief, though negative, embodiment of human and humane duties. But, we have to ask, can he, on the other hand, be supposed to have omitted at such instruction the large body of Mosaic ceremonial injunctions and Jewish religious customs withal? Will he not rather, on such occasions, have laid preponderant stress on the Mosaic ritual, in its outlines at least, as it points invariably to the worship of the God of Israel, which was, in very truth, the foundation and principal characteristic of Judaism as contrasted with the pagan polytheism which the proselyte was about to relinquish? And will he, like any other teacher or Scribe before him, have insisted, after having imparted to the proselyte a certain course of instruction in the essentials of Mosaism, that he should submit to the trio of initiation rites, which were then doubtless crystallized into an unalterable custom in all cases of thorough conversion to Judaism?

We ask, further, is it conceivable that Hillel should, in the case of the second Talmudical narrative in question, have imposed on the applicant nothing else than the acceptance of that ethical maxim, "What is hateful to thee, etc.," when we are aware, upon the best rabbinical authority, that the school bearing his name—Beth Hillel—were so vigorous on the question of admitting Gentile converts that they affirmed dogmatically that the previous state of their uncircumcision is a real, intense defilement, cleaving to them yet even after the performance of the Milah and not yielding even to the rite of immersion, unless they be also sprinkled with the waters of purification and thus cleansed of a ceremonial impurity

as serious as that coming from the touch of the receptacle of the dead? (See on this, Pesachim viii.)

Does this dogmatic decision of the Hillelites, too, breathe the pretended "mild spirit" of emancipation of proselytes from all legal observances of Mosaism, which Gruenebaum imputes to its founder?

That Hillel was mild, meek and forbearing in his intercourse with all men, is open to no question.

That he or at least his school was inclined to moderation in legislating on ceremonial and other legal points of observance, in order that the common people might not be burdened too much by the traditionally enlarged Jewish ritual, is also sufficiently attested in the old Rabbinical literature. He once instituted even a decided reform—that of the Prosbul—by which creditors were allowed to collect debts in the Sabbatic year. But he resorted to this measure only out of deference to the solemn Divine warning given in the context of the relative law (Duet. xv. 9), as it is testified in Shebiith x. 3, and not from a motive of secular expediency. And while one portion of that law had to be invalidated by the new measure, the latter seemed yet to be a reconstruction rather than an abolishing reform, because the other very weighty portion was thereby confirmed and upheld.

Whatever view may be formed upon this point of Hillel's legislative activity, it can surely authorize no modern critic to set him down as a liberal universalist teaching a religion of humanity, and to charge him with such an obliquity as to have deliberately aided in initiating proselytes as entire Jews, if they but confessed "universal human love." To impugn Hillel's orthodoxy in such a manner we have to pronounce as slanderous of his pure name as a foremost pious leader in Israel.

We may add in this place that it is all the more incredible that Hillel should at any time have dispensed male Gentile converts who wished to enter into equal relations with Israel from the three rites of initiation, especially the initiatory one proper, because we find for his time a strong historical attestation that the latter rite was then considered a standing rule, established from of old, and of enduring obligation.

It is sufficiently known that King Herod was impiously temporizing with his heathen patrons. He built temples to please Caesar and the Romans, and "changed Jewish laws for foreign exercises (Ant. xv. 8, 1), showing besides an insolent disregard of Mosaic

institutions (ib. xvi. 1, 1). And yet he would not dare to scandalize the public Jewish sentiment by allowing the marriage into his family of a non-Jew, unless the latter would first formally accept the Jewish religion! When Sylleus demanded Herod's sister, Salome, in marriage, he was told—evidently by both Herod and Salome—"that it was impossible to do it on any other terms" than the total conversion to Judaism. Herod's family were notoriously Indumeans by birth, descendants of those compelled to adopt the Jewish religion by John Hyrcanus, but who seemed not to have remained faithful to it in subsequent ages (Ant. xvii. 7, 9). It was, we surmise, for this reason that Antigonus could presume to stigmatize Herod a half Jew (ib. xiv. 15, 2). He possibly meant that Herod's Judaism was suspicious alone from the fact of the general anti-Jewish relapse of his countrymen. That his Judaism was practically, in every respect, of a very doubtful nature, is indeed easy enough to prove from extant history. And yet had the principle of forbidden intermarriage with non-Jews, unless a parity was created by formal conversion, prevailed on him and his sister to the degree of inviolability. Are we not to justly infer from this fact that that principle was the unexceptional rule in Hillel's time? And does this fact alone not remove the ground for Gruenebaum's assertion that Hillel, in his "mildness," was satisfied with imposing on Gentile converts a *mere religion of humanity*, or that this "mild" view of his predominated even subsequently to his lifetime. "during the whole period of the Temple."

Before we close this argument we will adduce one more historical incident in illustration of the untenability of Gruenebaum's hypothesis. Berenice, the much-suspected sister of Agrippa II., persuaded Polemo, the King of Cilicia, to undergo the initiatory rite and then marry her (ib. xx. 7, 3). This was in the latter days of the Temple. We ask, does this strict adherence to the traditional mode of conversion of the independent Judaic princess not demonstrate conclusively that Hillel's pretended "mild spirit" as to the reception of proselytes prevailed neither, in his life nor afterward in the Jewish community of Jerusalem, and that it is nothing but an unfounded conjecture, existing only in the hypercritical mind of Dr. Gruenebaum or any other of his coinciders?

We will now part with the great Hillel, whose orthodoxy has been impugned so irreverently and unaccountably, and turn to the eminent Hillelite theologian, Joshua ben Chananiah, to investigate his standpoint on the question of the admission of proselytes.

Rabbi Joshua ben Chananiah.

We have already above stated that Gruenebaum represents this sage, "in whom," as he says, "is even elsewhere apparent the spirit of Hillel in the clearest manner," as advocating immersion to be sufficient for the formal conversion of a proselyte. This view was to this critic prevalent since Hillel, and only disavowed by the generation immediately succeeding Joshua, whose exponent was Akiba. In the latter's time, he says, both the initiatory rite and immersion were laid down as conditions of admitting proselytes. He suggests, further, as possible that Akiba was principally opposed to their reception into Judaism.

For all this assertion there is, however, not the slightest foundation in fact. Neither was Akiba more austere than Joshua as to the title of the admission of proselytes, nor was the latter such a latitudinarian as Gruenebaum makes him out. We contend that the often quoted passage in B. Yebamoth, from which he, as several others like him,* derives Joshua's liberal standpoint on the mode of receiving proselytes, admits by no means of the interpretation he puts upon it. We will prove this by and by.

Let us here premise that it is grievously wrong to take Joshua for a liberal reformer. He was a Hillelite, it is true. As a follower of this school he was not only inclined to relieve hard ceremonial restrictions as much as it was compatible with his theological insight and religious conviction, but was also indulgent to combatants in scholastic disputes. These were the characteristics of the Hillelite school. Of Joshua it is particularly said that he adopted and practically applied the rule, extant already before his time: "A senate must not impose any restraint on the generality of the people that will work an intolerable hardship on them" (B. Baba Bathra, f. 60). His Hillelite bias for moderation in points of ceremonial law seems further deducible from passages such as Jer. Sabb. I. 4; comp. Tosifta Sabb. I. 17. [Significant is also his saying: "We do not heed the 'Bath Kol'" (B. Baba Metsia f. 59).]

But what of all this when contrasted with the standing rule for admitting proselytes to Judaism? What logical connection can there be found between a tendency to relieve Israelites from cumbersome laws and regulations of a religious and social nature, and the aim of making the transition to Judaism easy for pagans? Was it

*So Geiger, Zeitschrift, 1870, p. 26; Felsenthal, l. c.; Sonneschein, in his reply to Berkowitz's circular letter of last year, and others.

the life's purpose of our older rabbis to legislate in behalf and for the benefit of Gentiles, or for the Jews, their compatriots?

If those of the school of Hillel were "mild" toward the Jewish people in making the vast range of their written and traditional observances as tolerable as possible, does it in the least follow that any one of them will have been prompted by a similar "mild" sentiment to go to the length of dispensing a pagan convert from a rite which alone secured to him, since the remotest antiquity, national-religious equality with natural Israelites?

"Not in the least," will the critics concurringly say. Yet they will put the counter-question: Does not the Talmud relate of Rabbi Joshua that he proposed immersion as sufficient for initiating a proselyte?

To this we reply the following: The Talmudical account in question must be studied accurately in its entire context. It seems, from the form in which the entire relative discussion in B. Yebamoth is rendered, that once upon a time the theme of incomplete conversion was broached in the academy of Jamnia. Eliezer, Joshua and a number of other doctors participated in the debate upon it. The object in proposing this theme appears, from the connection in which it is placed on that Talmudical page, to have been to arrive at a clear and correct judgment on the problem, whether an incomplete conversion, though undertaken in good faith, should avail in case of such a convert's union with a Jewish female, which would result in a living issue. Is this issue to be regarded as an Israelite or a Mamser (bastard)? For it is to be kept in mind that the rabbis declared children out of mixed marriages of pagans with Jews, Mamserim (bastards), no less than those coming from incestuous relations. That the proposition was made at that meeting in this view only, is evidenced by the fact of its juxtaposition, in that Talmudical record, with the account of a discussion of the same subject, held in the third century C. E., in the time of Rabbi Johanan. In this discussion the question turns merely on the character of the living issue proceeding from the union of incompletely converted pagans with Jewesses, whither, namely, it is to be judged a Mamser or a pure Israelite.

That the compilers of the Talmud placed the debate between Eliezer, Joshua and others by the side of Rabbi Johanan's account, is to us conclusive evidence that they conceived both as having the same sense and bearing. There was, we hold, logical design in the reproduction by them of the debate held in Jamnia between the

before-noted doctors immediately after thát account. They considered, namely, both of one piece as to the underlying idea and inherent import, and therefore attached them locally to each other.

The compilers then were immensely far from conveying, by recording the debate in question, any other view of it than that plainly recognizable in the kindred subject-matter mentioned previously in connection with Rabbi Johanan's name. This view is, that Eliezer, Joshua and their fellow-academicians disputed on the legal consequence of an incomplete conversion as regards the rank of the progeny, if such should happen to spring from the union of the deficiently initiated convert with a native Jewess.

But there was then and there no question at all as to the dispensableness of either of the two rites, Milah and Tebhilah, in all cases of proposed, real and thorough transition of Gentile proselytes to Judaism. Neither Joshua nor Eliezer, nor any of the older Rabbis, we presume to vouch, called in question the obligation of a male proselyte, aspiring to total affiliation with the Jewish communion, to undergo the rites made binding by the custom of centuries. To sum up we will say that neither Mosaism nor surely ancient Rabbinism can be held out as supplying the slightest support to the attempt at abolishing the customary initiatory rite for Gentile converts aiming to enter the Jewish fold as full and equal members.

If any changes in the mode of admitting them have to be made, *it must*, we propose, be done on the independent account of that modern American reform Judaism desirous of it. (That the concurrence of some European reform rabbis would not be wanting, we suggest as quite possible.) But it must not be attempted under cover of a relative authority from the so-called Rabbinical age. There is, so far as we are aware, none such to be found by the way of honest and accurate research.

We can presently pursue our subject no further for fear of trespassing on the limit set for this paper. We are, therefore, precluded from entering on various other points of consideration bearing upon it. These would be, e. g., the problem of preserving intact Israel's social purity; of guarding the bulwark by which heretofore the intrusion into our communion of anti monotheistic elements has been averted, etc.

Meanwhile, let us calmly, wisely and reverently deliberate the question of the mode of admission of proselytes in our day with its

"changed conditions and requirements of life," as Rabbi Berkowitz observed in his circular letter of last year. Let us beware of hasty opinions on such a weighty matter, and surely of hasty decisions. In a question of such vital importance and consequence there is required not only the mature thought of individuals but the collective wisdom of all the competent rabbis of this country, as well as of acknowledged European authorities.

There is positively no pressing need of its authoritative decision just now. Neither is "Hannibal before the gates," nor have cases of intended conversion of non-Jews multiplied among us to the extent of irresistible urging as on to a speedy solution in accordance with modern Judaism. There are, for all we know, only single instances of conversion "leshum isha" (see B. Yebamoth, f. 24) turning up at long intervals from each other. These have not the virtue of calling upon our prompt and zealous attendance.

When the time will have come that numbers of non-Jews will, from evident religious motives, seek refuge "under the wings" of our purely monotheistic creed and ask to be "attached to Jehovah and the house of Jacob-Israel," then diligent and brisk action will necessarily have to be taken, and on as liberal a basis as is compatible with the sublime doctrines of our faith.

Until then let us put forth discreet and fair proselytizing efforts consistent with the dignity of true religion and humanity; and emulate measurably the example of our ancestors, who seem to have devotedly pursued the spread of Judaism from the time of the later Maccabees to that of the dominion of Hadrian.

On this same question Dr. H. Berkowitz, of Kansas City, addressed a circular letter to the rabbis of the country, dated July 23, 1890, to which a number of answers were received. By the courtesy of Dr. Berkowitz and the gentlemen who sent the responses, these are herewith published:

MILATH GUERIM.

AN OPEN LETTER TO THE RABBIS OF THE UNITED STATES OF AMERICA.

The undersigned recognizes the danger to Judaism which is likely to arise from a self-sufficient and unauthorized treatment of important ritual questions. He believes that the usages consecrated by age, but which have become untenable by reason of the changed

conditions and requirements of life, ought accordingly to be revised and transformed. He, therefore, wishes hereby to submit to you, the rabbis of the land, in whom are vested the authority and the duty to decide all such matters, a question which, however often it may have engaged your attention, has never been fully and unqualifiedly answered, but being always evaded or deferred, has made authoritative action of the part of any individual rabbi, as far as the sanction of his colleagues was concerned, an impossibility. I refer to the question of "Milath Guerim."

I am of the opinion that all rabbis who have ceased to act in accordance with the directions of the "Shulchan Aruch" are also unanimous in the belief that "Milath" is not an absolute requisite for qualifying a non-Jew to accept the principles and participate in the work of Judaism. As yet, however, there has been no concerted and public avowal of that belief made.

Being confronted by a case of this kind, I would respectfully ask of you, my colleagues throughout the land, the unequivocal expression of you opinion on this subject, in order to enable me and others who may be called upon in similar cases, to proceed in accordance with acknowledged authority, and thus obviate the just reproach incurred by arbitary action.

With fraternal greetings, yours,

HENRY BERKOWITZ.

KANSAS CITY, Mo., July 23, 1890.

RESPONSE OF DR. I. M. WISE.

CINCINNATI, March 17, 1890.

DEAR FRIEND AND COLLEAGUE SALE:—In reply to your letter I beg leave to say that you well know I have put myself on record in Philadelphia and Pittsburg Conferences, and in the *American Israelite* opposed to "Milath Guerim," and I do not believe yet that any honest, sound-minded person, desirous to embrace Judaism, ought to be subjected to the Abrahamic rite; nor can I convince myself that the Torah demands, or even sanctions, such a sacrifice. Still I can not, and do not, accept any proselyte, unless circumcised, because I am in the minority on the principle of "Yochid v'rabim halacha k'rabim." It has not been adopted by any legitimate body, conference or synod, and I am not willing, in so important and incisive a question, to be an innovator on my own authority.

Furthermore, because it can do no good to the proselyte, as no Jewish congregation will acknowledge him as a member of the covenant after all, if I even declare him one. This, however, is my private consideration which, of course, could guide myself only in "Halacha l'maasah."

With my best wishes and assurances of respect and friendship,

Yours,

ISAAC M. WISE.

NOTE:—The same case which came before Dr. Berkowitz had been submitted to Dr. Sale, to whom, among others, Dr. Wise addressed the above response.

RESPONSE OF DR. B. FELSENTHAL.

CHICAGO, August 5, 1890.

DEAR SIR:—Your "Open Letter to the Rabbis in the United States" is before me. In complying with the request made therein, I for myself can be brief. I need but refer to a monograph on the subject which I published in 1878, and which is entitled "*Zur Proselytenfrage im Judenthum*," also to an article which I wrote for Graetz's *Monatsschrift* (Vol. XXVII., 1878, pp. 236–240), and further to an opinion which I rendered upon request and which is to be found in the "Report of the Executive Committee of the Constitution Grand Lodge, I. O. B. B, for 1880–81," on pp. 115–119. A glance into these writings will show you that I have to be counted with those who will not raise an objecting voice if proselytes are accepted without requiring of them the ancient initiatory rite previous to their acceptance.

And I am not alone in the opinion I thus repeatedly expressed. Two eminent Jewish teachers, Rabbi Josua, in the beginning of the second century, and Rabbi Yehudah, in the middle of the second century, did not consider Milah as an indispensable requisite for the acceptance of a proselyte (*Yebhamoth* 46, *a b*). A rabbi in Venice, Leon Modena, who flourished in the seventeenth century, decidedly favored the acceptance of Gerim without Milah (*Kol Sakhal*, p. 59). Of teachers in modern times, I may mention Abr. Geiger (*Jued. Zeitschr.* VIII. pp. 24-27); Isaac M. Wise (*Protocolle d. Philad. Rabb-Conferenz*, 1869, pp. 39, 40); Osias H. Schorr (*He-'halutz*. XI. 67–74), and others.

I might stop here, as in the foregoing the question asked by you is sufficiently answered. But some other points are connected with

the main question, points of great importance, which deserve careful consideration. And so permit me to touch here a few of these points.

First, have you, Dr. Henry Berkowitz, the rabbi of one of the congregations in Kansas City,—have you, or have I, the writer of this letter, or has any other Reform rabbi, the right and authority of adopting "in the name of Judaism" a proselyte who was not circumcised and of declaring him to be a Jew and a member of the Jewish community at large? When and where did "Judaism" or the "Jewish Church" (כנסת ישראל) give you or me or any one else authorization so to do and thus to proceed in her name? When so-called Orthodox rabbis admit Gerim as members of the house of Israel, they can justly say that they are authorized to do so, that they act simply in conformity with laws and regulations which have been of an authoritative and binding character until our days for all Israel since times immemorial, and none of the Reformers will, or can, rise and gainsay that these proselytes are really not Jews. True, they had to submit to certain ceremonials and formalities which the Reformer would not have required. But these ceremonials and formalities are only a *plus* to the requirements demanded by a Reformer, and this *plus* can, of course, not invalidate the initiation of the proselyte into Judaism. Otherwise is it with the adoption of a Ger who was not circumcised. Here is a *minus* to the ancient time-honored requirements,—to requirements which, an Orthodox will say, have been divinely ordained in the Written Law and in the Oral Law and which have been sanctioned by the words of an inspired prophet (*Ezek.* xliv. 6, 7, 9) and by the great legal authorities of Talmudical and subsequent times. And, therefore, from their standpoint, the Orthodox rabbis and Orthodox congregations would be correct in refusing to recognize as a Jew your Ger who has remained uncircumcised.

Now, is there a way out of this dilemma?

Yes, there is. You simply say to your candidate for admission into Judaism: My dear sir, you are wrong in your supposing that I have the power to admit you as a member into the Jewish Church and to dispense you at the same time, in the name of Judaism, from submitting to circumcision. I may adopt you as a friend of mine, or receive you as a visitor in my house—this is an indisputed power which I have—and if it pleases you, I for my person, may also call you a Jew, notwithstanding your having remained uncircumcised, and I shall do so, provided you sincerely wish it and

your doctrinal views and the conduct of your life will give me some warrant for my doing so. But here my power ceases, and I can not coerce any one else to do likewise. I'll advise you, however, what to do. Apply for membership into one of our Jewish "congregations" or Jewish "societies," who admit but Jews. Perhaps one or the other will gratify your wish and will adopt you as a member, without being so strict in the prerequirements usually demanded. You must understand, however, that a congregation also has no authority to declare you "a Jew" and force your recognition as such by all other Israelites. But the congregation is at least supreme and sovereign in its own internal affairs. As well as I may admit you in my house, and as I may call you a Jew, and consider you a Jew, so each Jewish congregation or Jewish society has the power to say, "For us and in our eyes the applicant is a Jew and we accept him as a member of our congregation; what others think and say about it, we do not care." The practical consequence will be that a large number of American Israelites and American Jewish comgregations will silently acquiesce, and will silently recognize you as a member of our religious community. A *fait accompli* is a wondrous thing. Now, my dear sir—so you might continue in speaking to your applicant—if you apply to my congregation, or to any other congregation, for membership, and the same shall lay sufficient value upon my views and shall ask my opinion in the matter, I shall assuredly advocate your admission, and I shall recommend to the congregation to dispense in your case with the initiatory rite demanded by the old law;—provided always that the honesty and purity of your aims and objects in thus knocking at our gates be beyond any doubt whatsoever. But if you should not find a congregation willing to admit you, what could I do? Nothing! What would *my* willingness to consider you a Jew avail you, if others will not consent with me? Nothing! I repeat it, therefore: Apply to a congregation for membership, not to me. Such a one can act favorably on your petition, or can lay it aside. Such a one can either elect you or reject you

Allow me to make some comments on another point in your Open Letter. You addressed your letter to "the rabbis of this land, *in whom is vested the authority to decide all such matters.*" Is this really so? Have indeed the rabbis of this land been vested with the authority to decide finally and bindingly for the Jewish masses all such matters? Since when? By whom? My dear Doctor, you assert here a dangerous doctrine. I, for my part, disclaim any such

"authority" over others by virtue of any office I have, and I, for my part, hereby decidedly protest against the arrogant assumption of ecclesiastical "authority" by any "rabbi" or by any number of "rabbis," individually or collectively, based upon the fact that he, or they, have been elected in this or that Jewish congregation to fill the rabbinical offices. *Wir Juden haben, Gott sei Dank, keine geweihte "Geistlichen," und wir wollen keine geweihte "Geistlichen" mit geistlichen Gewalten zu binden und zu loesen.* And we are glad we have none. We rejoice over the fact that in the course of historical development the institute of *Semikhah* has ceased to exist and has fallen into oblivion, and we are rejoiced that the attempts of a certain Palestinian rabbi in the sixteenth century—Jacob Berabh was his name—to revive again the *Semikhah* after it had been dead for over a thousand years, and to repair the broken chain, have been frustrated and have come to naught.* Blessed be the memory of Levi ibn 'Habhibh who, by his opposition, caused the endeavors of Jacob Berabh to remain without the desired results! And so we refuse, now as formerly, to be fettered and chained down and be kept in a religious thraldom by "rabbis," "priests," "synods," or what other name the authority-claiming man or men may have. We are free men and we live in a free country and in free times. But there is danger for Judaism, you say, if we acknowledge no ecclesiastical authority over us and if we do not submit to an ecclesiastical authority. Danger? No, sir, there is not. Judaism will continue to exist in autonomous congregations. And I frankly add that a religion which can not exist in freedom deserves not to exist. However, fears are perfectly groundless. Judaism is fortunately so constituted that its rabbis are not like priests

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**Semikhah.*—This was the name of a certain ecclesiastical act by which, under prescribed forms, Israelites, considered fit and qualified, were ordained as "rabbis" by others who had to be ordained rabbis themselves. By this act the newly-ordained rabbis were vested with privileges and rights which unordained Israelites had not. It was claimed that the chain of properly ordained rabbis reached uninterruptedly back to Moses. Compare the institute of ordination in the Roman Catholic and in the Protestant Episcopal Church, for which also the claim is raised that it goes back without interruption to the Apostolic Age. What nowadays by some is called "*Semikhah*" is essentially different from the *Semikhah* or *Minnui* in Talmudical and pre-Talmudical times. Comp. *Jerush. Sanhedr.* i. 3, (ed. Krotoschin fol. 19, col. a.) תמן קריי למנוייה סמיכותא. Yonder, in Babylonia, they call the *Minnui* (authorization to be a rabbi) by the word *Semikhah.*

with hierarchical powers who, either directly or indirectly, have received from God himself mandates to act as priests, and whose official actions, or certain parts of whose official actions, possess an inherent sacramental character, and can only be performed by them alone, if they shall be valid and efficacious. The office of the rabbi is nevertheless a sacred one, a sublime one. It is one in which noble and enthusiastically inclined men can find and will find self-satisfaction and true bliss during all their lifetime. For a rich field is open to such noble, enthusiastic, warm-hearted rabbis. They can cultivate truth and morality within their spheres of action. They can educate not merely children, but also adult men and women in religion and in morals, and can implant into their hearts knowledge and appreciation of, and love and attachment to Judaism. They can assist in raising the moral and intellectual status of the whole community in which they live to a higher plane. They can at the same time devote a large part of their time to the cultivation of the science of Judaism, and can thereby widen their own mental horizon and, possibly, the limits of their science, and thus they can enjoy a pure, unalloyed intellectual bliss in their soul-life which others who pursue more material tendencies do not experience. Truly, the rabbi's office is a sublime office. Nevertheless, let us not forget that it is in the main but a teacher's office. The Jewish rabbi is a *teacher*, nothing else.

And such teachers we Jews must continue to have, teachers who are well qualified and fully competent to instruct individuals and congregations in Jewish questions, and whose authority is based upon nothing else except their superiority in learning and sound judgment — an authority which we have to acknowledge by our own free will and in consequence of our inwardly agreeing with their teachings and demands, and of our conviction that they are correct and understand matters better than we do. If it should be the case that a man qualified and competent to be a teacher in Israel should not occupy a rabbinical chair, that he should be a "layman," this man can have, and ought to have, nevertheless, the same authority as any one who is a rabbi in office, and he ought to have certainly more authority than the ignorant man or the worthless man who happens to have been elected by a congregation as their "Doctor."

You know, dear colleague, what was predicted in olden times by a prophet of the wretched descendants of Eli, the priest. "They shall come," so the man of God said, "and bow low for a gera of

silver and a loaf of bread and shall say, ספחני נא אל אחת הכהנות לאכל פת לחם ("Oh, attach me, please, to one of the rabbinical offices in this land, in order that I may have a piece of bread to eat.") It is maintained by some that there are a number of such poor and pitiable, and at the same time perfectly ignorant and illiterate, descendants of Eli among the rabbis in this land and in other lands, and that also possibly some base and worthless characters may have entered their ranks. This can hardly be helped. Among the clergy of other denominations they have undoubtedly good reasons to make the same complaints. But shall these *'Am Ha-Aretz* and these disreputable characters for whom their sacred office is nothing more than a bread-winning institution, be our hierarchs, our religious guides whom we must blindly follow? Permit me to make another quotation here, to cite the word of another great prophet, which just occurs to my mind. It is with Jewish theology — or let us rather say, with the Science of Judaism — as it is with *Wissenschaft* in general. And of the *Wissenschaft* Schiller said in a well known distich:

> Einem ist sie die hohe, die himmlische Gœttin, dem Andern
> Eine tuechtige Kuh, die ihn mit Butter versorgt.

And of these latter ones, too, of these rabbis to whom their *Bischen Wissenschaft* is nothing more than a milch cow — of them, too, you also say that they are vested with the authority to decide finally and in a manner binding for us in religious matters? Really, Dr. Berkowitz, I am astonished at you!

Now, please, do not come with the plea that there is at present a lamentable chaotic state in American Judaism, out of which we *must* find a way — that we *must* have unity, or conformity — that the rabbis are naturally those to whom the people *must* look for safe guidance — that we *must* place over us a Sanhedrin, or Synod, or Conference, with legislative, administrative and judicial powers—that dissenting minorities *must* submit to its ordinances and decrees — or that we must try to ascertain in some other way what the majority decides — that the majority rules — and all that. We know all this. But most decidedly we take another standpoint. And most decidedly do we say that in matters of religious principles and practices, of doctrines to believe in, of rituals to be guided by, etc., no one must be compelled to go by the opinions and dictates of others, or by the decrees and decisions of an accidental majority in a synod or conference. In such matters the individual conscience is the highest authority — a higher authority than the one of a multitude of thou-

sands. "God and I — we are the majority," said the noble-souled Wendell Phillips, ל"ז, in one of his abolition speeches made in *ante-bellum* times, and I repeat these words after him.

And don't you know that "the Majority," in whom so many would trust, is often wrong? that it often is in the service of untruth? that, if you acknowledge its authority, it tyrannizes the minority? There are large fields of human activity where *of necessity* the majority must rule. In such necessary things, as an old saying is, there must be unity. But — so the very same saying adds — in things not necessary let us have liberty, and in all things love. Where we can help it, down with the majority rule! Down with the majority rule especially in religious and denominational matters! And up with the inalienable rights of minorities, of single congregations and of individuals! What? A majority shall rule over us in matters of our religious thinking and doing? It is difficult to understand that American Israelites, otherwise so deeply imbued with Jeffersonian democratic principles, and especially with the principle that each individual has the right to worship God according to the dictates of his own conscience, should advocate the proposition to erect over us a hierarchical institution with law-giving and law-enforcing powers. But no! You and I, we shall not submit to the ordinances of such un-Jewish church councils, and we shall not heed it if it is said that we have to submit because those ordinances have been issued by such "sacred" church-councils. We shall only then assent outwardly after we have assented inwardly. Otherwise we shall be dissenters and non-conformists, and we shall remain dissenters and non-conformists.

"But we do not want any non-conformists. Unity we must have — 'Glaubenseinheit, wie im heiligen Land Tyrol' (prior to the year 1848). An all-embracing authority must rule over us. Authority! Authority!"—I am sick of this eternal shrieking after authority. Why, you authority-shriekers — this appellation is not meant for you, my dear Dr. B.; it is meant *pour les autres* — why, there is, or has been, an authority. Have it! There is the Pentateuch with its 613 laws; there is the Mishnah and Gemara; there is the Rambma and the Shul'han 'Arukh; there are the other books containing the numerous traditional laws. Why did ye break loose from this authority, ye rebels? Ye rebels, who prefer to be called by the more euphemistic name of Reformers? Yes, you broke loose long ago from the ancient authorities. But who gave you the right to do so? Was there ever any Sanhedrin, or Synod, or Council, who permitted

you to feast on oysters? Or to omit laying Tephillin? Or to perform marriage ceremonies on the middle days of Passover and of Sukkoth? Or to willfully ignore the Ninth of Abh? Or to raise hogs and deal in pork? And yet you did this and many things more without waiting for the decision of a synod or for temporary indulgences and dispensations from some Rabbinical Executive Committee. Where was your authority then? It seems you are not aware that you are like slaves who have rebelled against their former master, who have run away, who have escaped from their former bondage, and who now, being unable to breathe the air of freedom, cry out vehemently, "Let us choose a master over us." Oh, ye foolish rebels!

If "the Majority" is that master whom you will acknowledge and to whom you will swear allegiance, then beware, ye rebel-reformers, or you with your reform notions will soon be swamped altogether. Be fair-minded and admit that already in our present day the conservative teachers and the orthodox rabbis are in the majority in these United States. And in times rapidly approaching, when the immigration from Russia will swell still more in constantly increasing numbers, and when our unfortunate oppressed brethren-in-race living in the dominions of the Czar will flock by the thousands into our country — which, let us hope, in the future too may remain the land of refuge for the oppressed of all nations — in these rapidly approaching times the party entertaining orthodox or conservative views and tendencies will vastly grow, and their majority will become overwhelming. It will then, indeed, be one of the humorous freaks of history, yea, a true irony of history, if not only the Doctors Morais, and Jacobs, and Mendes, and Drachman, and Schneeberger, but if also the still more orthodox Dr. H. Klein, formerly of Libau, Russia, and now of New York, Rabbi Jacob Joseph, of New York, Rabbi Jacob Gershon Lesser, of Chicago, and the many others, will once agree among themselves to come unitedly to your conferences and to vote there. Be careful! You will be swamped out of existence. You will have to submit in obedience to your own grand principle. If demanded, you will have to bring "the sacrifice of your intellect." And you will not be saved. You would only make yourselves ridiculous were you to attempt to keep these conservative and orthodox teachers and respectable gentlemen away from your meetings by motions and resolutions that *you* are the genuine ones, the only authorized "rabbis" and regularly ordained priests, and that they

(Dr. Klein, Rabbi Lesser, etc.) are but counterfeits and have no right to be in your midst. Be careful! You play with a two-edged sword.

In extracting the quintessence and in drawing the conclusions from the foregoing, I formulate now the following theses:

1. A rabbi has no authority to act in the name of *Kol Yisrael* and to arrogate to himself the power of admitting, *in the name of Judaism*, into the Jewish community a would-be proselyte who has not been circumcised

2. A congregation may accept such a proselyte as one of its members, because a congregation is sovereign in its own internal affairs. It may, under certain precautions and conditions, be wise and in full harmony with the spirit of prophetic Judaism to pursue such a policy and to admit such proselytes. Our religion might thereby gradually be endowed with the potency of divesting itself of its racial character and of finally becoming a universal and world-embracing religion.

3. A Jewish rabbi is but a teacher, and is not vested with the powers of a priest or of an ordained *Geistlicher*. All the legal prerogatives he has, and all the legal authority he possesses, he has received by his contract with his congregation or by the laws of the State in which he lives.

4. A synod of rabbis or conference of rabbis has also no legal authority in matters of belief or of ritualistic practice over congregations or individuals — not even over those of its own participants or members who are in the minority. The majority may express opinions, but can not issue decrees or laws. Still less can it employ coercive means to enforce its decrees among unwilling individuals and parties.

5. Attempts to institute synods, or church councils, or conferences with law-giving and law-enforcing powers in matters doctrinal and ritual are more than un-Jewish — they are anti-Jewish; are more than un-American — they are anti-American. They are anachronisms, born in the spirit of mediævalism, and totally out of time in the present age.

6. Free conferences of rabbis, untainted by any hierarchical desires whatsoever, and granting dissenting minorities the right of retaining their own religious convictions and of following their own views in purely religious matters, are, for many reasons, highly commendable. Despite their limitation of legislative power and executive authority, such conferences will be mighty agencies for

promoting healthy progress in science and in life. For there is a great moral force, slowly but surely working, in the agreement of many expert men and scholars in theoretical and practical questions.

7. Coercion in religious matters or church discipline — the word and the thing — must be assigned to the grave. Inter it, or cremate it, or put it out of the world in some other effective way, together with some other beautiful inheritances which we have received from the Dark Ages. Instruction only, and nothing but instruction, can be acknowledged as a proper means to create in others convictions similar to ours and to win others over to our own ways of thinking.

8. Reforms in religious rites and changes in dogmatics are matters of natural growth. This process of growing and developing from within is often very slow. But under no consideration ought it to be accelerated forcibly and by commands from without. This does not exclude the application of proper means by which the necessary preconditions for healthy changes and reforms can be produced.

9. Visible reforms which, as indicated, must rest upon inner convictions, are gradually effectuated by the silent doings and practices of single individuals, or, respectively, single congregations, which doings and practices are in the course of time imitated by other individuals and other congregations. In this way the reforms become, by degrees, firmly established facts and develop into deep-rooted habits and usages. In the beginning usually unnoticed little germs, they will grow and, if healthy, will become like mighty oak trees, able to withstand storms and tempests; if not healthy, the germs will wither and die.

10. "In necessary things, unity; in non-necessary ones, liberty; in all, love!"

11. "Let there be no vulgar strife between us, for we are brothers."

Hoping that, etc., I remain, yours, respectfully,

B. FELSENTHAL.

RESPONSE OF DR. M. MIELZINER,

Talmud Professor at Hebrew Union College.

I have noticed your open letter to the rabbis, published in the Jewish papers and have read it with great interest. I was especially pleased to see that you do recognize the danger to Judaism which is likely to arise from a self-sufficient, unauthorized treatment of

important ritual questions and consequently are not inclined to decide the case by which you are confronted, on your own authority, but invite the opinions of your colleagues throughout the country.

I fear, however, that this, your mode of proceeding, will not lead to the desired result. The answers you will receive from your colleagues will of course differ from each other. Some will argue with you that מילה is not an absolute requisite for qualifying a non-Jew to accept the principles and participate in the work of Judaism. Others will insist that מילת גרים is an absolute requisite. To decide between these opposite views, would, I think, be as arbitrary as to decide it from the beginning, on your own authority. The most proper way would have been to bring this question before a conference of competent rabbis, when, after a full and thorough discussion, it might be finally decided.

My personal opinion on the question at issue is laid down in an article which I published about twelve years ago in *The Jewish Messenger* in reference to my friend Dr. Felsenthal's pamphlet, "*Zur Proselytenfrage im Judenthum.*" I do still adhere to the view expressed in that article and I have yet to add that I apprehend that a dispensing with מילת גרים will lead more and more to the entire neglect of מילה among Israelites also.

Yours fraternally,

DR. M. MIELZINER.

Appended is an abstract of the debate in the *Jewish Messenger* between Drs. Mielziner and Felsenthal.

[APPENDIX.]

DR. MIELZINER'S VIEWS ON מילת גרים

Dr. Mielziner takes Dr. Felsenthal to task for citing Hillel as favorable to accept proselytes without Milah, whereas the record is absolutely silent on that point and on the contrary in Pesachim viii. last Mishnah ב"ה אמרים: הפורש מן הערלה כפורש מן הקבר we see clearly enough how scrupulous the Hillelites were in regard to Milah.

To this Dr. F. makes no reply but argues that his opinion in favor of abolition of Milah is not after all, dependent on "Authorities" but on desirability and necessity, though against Halacha, as many other reforms that have been instituted.

F. cites Josephus Antiq. xx. 2, when Ananias, a Jewish merchant, urges King Izates of Adiabene, in adopting Judaism to omit circumcision. But F. fails to complete the quotation that Ananias adds, "God would forgive him though he did not perform the operation inasmuch as necessity, the fear of his subjects" deterred him. Which fear was well founded, as shown in the next chapter. To this F. makes no reply either.

F. cites Jebamoth 46*a*, when the Tanai R. Joshua b. Chananjah declares that the ritual bath without circumcision was sufficient to initiate a proselyte, while his contemporary, R. Eeliezer b. Hyrkanos, regarded Milah as indispensable, but not so *Tebilah*. Considering the great significance Milah had in Israel, Mielz. doubts that R. Joshua could have meant this, and suspects it through the lack of precision in the words used, גר שטבל ולא מל הרי זה גר to which ought to have been added: ואינו צריך מילה and from the Gemara's interpretation it means that Tebilah according to R. Elizer already makes one a proselyte with all his rights and duties, *provided of course*, that he is willing to submit to Milah.

Against this Dr. F. quotes Jerus. Kidd. iii. 14 and the Apocryphal tract Gerim i. 6: גר שמל ולא טבל טבל ולא מל הכל הולך אחר המילה דברי ר׳א Consequently R. Elizer insists on Milah while he did *not* insist on Tebilah, see Jebamoth 71*a* גר שמל ולא טבל גר מעליא הוא that is, a proselyte who has submitted to Milah but who has not taken the prescribed bath is a perfect proselyte and needs no bath. This is contrary to that in Jeb. 46*b*: בטבל ולא מל ר׳א ור׳ לא פליגי דמהני R. Joshua's words as contained in Babli Jeb. 46*a* are exactly contrary to his words in Jerus. Kidd iii 14. This, then, throws the whole argument out of court. Thereupon Dr. F. quotes Jehudah bar Ilai instead, who demanded only one rite from the proselyte, *either* bath or circumcision and explicitly said בחדא סניא "One is enough."

Dr. M. believes that marriage as a motive for conversion should cause us to suspect that the request did not come from a conviction of the truth and preferableness of our Jewish religion but merely from the wish to please the conjugal mate.

To which Dr. F. makes a forcible and convincing reply on the easy acceptability of Judaism as something simple and reasonable, and quotes Rab, Jerush. Kiddushin iv. 1: המתנייר לשם אהבה איש מפני אשה ואשה מפני איש וגו׳ רב אמר הלכה גרים הם ואין דוחין אותן כדרך שדוחין את הגרים תחלה אבל מקבלין אותן וצריכין קירוב פנים שמא ניירו לשם:

Dr M. writes Aug 10, 1890—"I do still adhere to the views expressed in that article (Jewish Messenger) and have yet to add that I apprehend that a dispensation of מילת נרים will lead to the result that מילה will be more and more neglected also among Israelites."

DR. SONNESCHEIN'S RESPONSE TO DR. BERKOWITZ'S QUERY.

I have read your open letter to the Reform rabbis of the United States, in which you ask for their outspoken opinion on the question whether the Gentile who wants to affiliate with the congregation of Israel *must* be subjected to the so-called Abrahamitic rite, or whether, by reason of authenticated authority, this "Milath Guerim" can be abrogated.

I do not think that you will receive such a concerted and public avowal on this proposition which you seem to expect. The reasons for such an utter lack of unanimity and scientific candor are so obvious that to touch upon them were folly indeed. Questions of such a radical import will always be confronted by the firmest and closest lines of congregational bias and demarkation. I, for my part, consider the Declaration of Principles, as laid down by the Pittsburg Conference, an unquestionable authoritative guide for my rabbinical actions and decisions, as the organic law for my right steps in the right direction.

In this declaration of Principles I read the fourth: "We hold that all such Mosaic and rabbinical laws as regulate diet, priestly purity and dress, originated in ages and under the influence of ideas altogether foreign to our present mental and spiritual state. They fail to impress the modern Jew with a spirit of priestly holiness; their observance in our day is apt rather to obstruct than to further modern spiritual elevation."

Now, in this plank, clear cut and of the soundest timber, I find the safest basis for my standpoint in dispensing with "Milath Guerim" whenever I am called upon to receive a non-Jew into the fold of Judaism, provided his character is of good repute, his love for Judaism the result of pure motives, and his conversion a matter of intelligence and ethical training.

It is an open secret that the "Milah" is in the main a Levitical ceremony. The Passover ritual, as elucidated in its original statute (Exodus xii. 43–49), is absolute proof for that. The very fact that

only upon their crossing the Jordan and entrance into the Holy Land under Joshua's leadership, *and not before*, a general "Brith Milah" was ordered and executed for the entire nation, is to me further unequivocal test that the Levitical principle is the predominating feature of the "Milah," and consequently to be practiced only בארץ, and not בחוצה לארץ. For us, of course, Levitical rites and the differences between *intra* and *extra Palaestinam* are practically no longer of any consequence, and it would be the most inconsistent resolve, the very height of self-delusion, to insist, for mere traditional custom's sake, upon a semi-barbaric relic of the past, when its utter worthlessness is demonstrated in thousands of cases every day, and where the pristine *ethical* character of Judaism has to be pronounced in its matchless beauty and irresistible spirituality at the very initial step.

But all this may, in the eye of the critic, appear arbitrary and unwarranted, you will say, while, naturally enough, you pause and reflect. To satisfy you on this point I shall simply call your attention to *two* very ancient and unimpeachable Masters: Rabbi Joshua Ben 'Hananyah, living at the very threshold of that pregnant era which decided the spiritual ascendancy of Jerusalem in ruins over Rome in her imperial majesty; the man whose nobility as a patriot and whose sagacity and loyalty as the presiding officer of the highest ecclesiastic court stand unchallenged, unhesitatingly decided טבל ולא מל הרי זה גר (Yebamoth 46). And the sainted Mahril, of Prague, the most dauntless of all apologetic writers in the gloomiest epoch of the Middle Ages (1399), plainly admits in his "Nizzachon," in expounding the original statute of Milah, (Genesis xvii. 10):

אין האמונה תלויה במילה אלא בלב הלא מי שאינו מאמין כשורה אין מילתו משוה אותו ליהודי גם המאמין כשורה הרי הוא יהודי אפילו אינו נמול:—

Now, if a shining light like this immortal author, even five hundred years ago, long before the beginning of a new era in history and the discovery of a new continent on earth, did not for one moment pause to lay it down as an unequivocal truth that the Abrahamitic rite *is not a conditio sine qua non* in the establishment of Judaism, and that, consequently, "Milah" *is not* an absolute requisite for qualifying a non-Jew to become "one of ours"—an Israelite in the best and truest *religious* meaning of the word—why should we hesitate to do the same?

I, for my part, then, in the name of all that is the most precious inheritance of the past, and in following the progressive and em-

phatic Pittsburg Declaration, have, since the last four years, never hesitated to act upon the principle that "Milath Guerim" is not an indispensable rite of initiation, and have always since maintained that the beautifully symbolic act of the מבילה is all-sufficient as the outward sign of conversion.

It is of the utmost importance, and will be certainly conducive to the best interests of American Judaism, that this question of "*How* to accept proselytes?" and similar questions, be finally and absolutely settled by the concerted deliberation of the next "Central Rabbinical Conference" in Baltimore. American Judaism is in the van of the Reform movement. Let it also take the authoritative lead and display that combination of valor and discretion which is destined to command and to triumph all along the line.

With grateful greetings, yours, S. SONNESCHEIN.

ST. LOUIS, August 6, 1889.

RESPONSE OF DR. G. GOTTHEIL.

The Rev. H. M. Bien, Vicksburg, Miss.:

DEAR BROTHER:—Under the circumstances as detailed in your letter of July 30th I would not hesitate to admit the postulate. The time has come for removing needless barriers against proselytes, and circumcision of adults especially, is not only needless but greatly objectionable, if on no other ground than on that of danger to the health, even the life of the proselyte.

I am faithfully yours,

G. GOTTHEIL.

NOTE. Simultaneously with Dr. Berkowitz's open letter, Dr. Bien, of Vicksburg, had privately submitted the same question to a number of rabbis, eliciting among others the above response.

RESPONSE OF DR. A. MOSES,

Of Louisville, Ky.

LOUISVILLE KY., August 10, 1890.

The Rev. Dr. H. M. Bien, Vicksburg, Miss.:

DEAR SIR AND COLLEAGUE:—Your letter has come to hand. I will answer your very important question in accordance with my long-cherished and unshakable conviction. Adult Gentiles who

wish to embrace Judaism should be admitted without circumcision. Should they even desire to be circumcised, we ought to dissuade them from doing so. Infant circumcision is all right. It is a very ancient rite, and is consecrated by time and its strong force of historical sentiment. It is considered by medical authorities an hygienic measure, when performed by a skillful Mohel, the operation gives but slight pain, and the wound heals up in two or three days. It is quite otherwise with adult circumcision. The pain is excruciating, the wound takes between four or five weeks to heal up. It is recommended by no hygienic consideration To Gentiles, as well as to modern Israelites, it has the look and the nature of primitive barbarism. It degrades both the proselyte and the religious community which he joins Yours sincerely,

A. MOSES,
Rabbi Congregation Adas Israel.

RESPONSE OF DR. EMANUEL SCHREIBER.

LITTLE ROCK, ARK., January 11, 1891.

The Rev. Dr. Berkowitz, Rabbi, Kansas City, Mo.:

DEAR COLLEAGUE:—Your question, while certainly belonging to the class of modern שאלות ותשובות, is nevertheless not so new as the majority of people are apt to think. Since the middle of the nineteenth century the question of מילה in general, and of מילת גרים in particular, has been a matter of controversy.

The drift of your query, it seems to me, is this: Is circumcision considered by Judaism in the same light as is baptism by Christianity, namely, a *sacrament?* An affirmative answer to this שאלה means that a man or child who has not been circumcised is under no circumstances whatever to be looked upon as a Jew. If circumcision is a sacrament, then it is of no consequence whatsoever whether its omission was caused by sickness of the child, by the difficulty to find a mohel, or by the death of former brothers of the child in consequence of the performance of the rite. The neglect of this act, from whatever reasons, would make it impossible for a man to be a Jew.

Now is circumcision to be considered a *sacrament?* This is the question.

Before proceeding to answer it let me tell you that I do not share the widespread opinion as to the vast difference between the omission of circumcision on a Jewish child and on the Gentile or Christian proselyte who intends to embrace Judaism. In the first place it is not yet proven whether the performance of the rite on a grown person is more barbaric than if performed on a child of eight days. As soon as the argument of barbarism is brought into play, the serious question arises whether it is not more barbarous to inflict a wound on an irresponsible, innocent child than upon a responsible man, who knows beforehand what he is about to do, who can, if needs be, make all necessary preparations (taking chloroform, ether, etc., if he is afraid), and who is at liberty to back out in the last moment. "Und ist nicht Alles, was man Kindern thut, Gewalt?" exclaimed the Patriarch in Lessing's "Nathan." Why, if the argument of "barbarism" is brought into play, then I should think that the parents feel the wound just as much, if not more, than the tender infant, while in the case of a proselyte, he is the only one who suffers the bodily pain, which is, however, or ought to be, greatly alleviated by the consciousness of offering a sacrifice for the sake of conviction.

Again, if the sources of Jewish theology should justify the conclusion that a child born of a Jewish mother is *ipso facto* a member of the Jewish religious community, then the neglect of the performance of Milah on a child of Jewish parents might prove to be the minor offense, when compared to the omission of the ceremony in the case of a proselyte, who is born of non-Jewish parents. Thus, take it from whatever point of view, it all depends on the answer to the question whether the circumcision among the Jews is a sacrament or merely a ceremony like Talith, Zizzith, Thefillin, Shechitah, Succah, the dietary laws, etc.

The question is by no means a new one, and, with all due regard for the omniscient American Associated Press reporter, who claimed that your case was unprecedented in the annals of Jewish history, I must say that he was egregiously mistaken. Holdheim, Samuel Hirsch, Wechsler and many more rabbis in Europe and this country acted in the case of male proselytes just as you did.

Let us, then, look the circumcision question squarely in the face as it represented itself to us in different phases in the course of our modern Jewish history, and we may arrive more easily at a satisfactory result, history being always the most reliable teacher.

To my knowledge, the first time that this question had created a great stir was in 1842, when the "Reform Society" at Frankfort-on-the-Main had come out with a declaration of principles, protesting against the authority of the Talmud, against the belief in a personal Messiah, while believing in the possibility of an unlimited development of the Mosaic religion. Acting upon the principles of the "Reform Verein," one of its members neglected the performance of the circumcision on his son. In consequence of this, Rabbi Treier, of Frankfort, invoked the Senate of the city to enforce the circumcision, and, failing in this, sent circular letters to the rabbis of Germany, Austria and other countries, asking their "opinions" on the subject. Forty-one rabbis replied that circumcision could not be dispensed with in the case of a Jewish boy, but differed greatly as to the measures to be applied against renitents. Some regarded them as "atheists," others as "Jews." It is interesting to know that the leader of the conservatives, Dr. Zacharias Frankel, while condemning the renitent in strong terms, can not help conceding that a *child born of a Jewish mother is a Jew by birth*. But he claims that the child can not belong to a Jewish congregation until he is circumcised. Land Rabbi Dr. Hess, of Eisenach-Weimar, championed in his paper* the cause of the "Reform Society." Dr. Leopold Zunz recognized an Israelite who is not circumcised as a Jew, and would not debar him from the use of the synagogue. He warned also against "church discipline" and so-called "penalties against heretics." Circumcision and Sabbath are, according to Zunz, of the same import as witnesses of Judaism. He quotes Mechiltha Jethro, chapter ii., as his authority for this statement. *Non-Jews* regarded the circumcision and Sabbath as *sacraments*.† Maimonides places circumcision, prayer, Tefillin, etc., in the category of laws, which he classified as אהבה "love").‡ The result of Zunz's "opinion" is that, Sabbath and circumcision being of the same significance, "institutions" rather than ceremonies, the Jew who neglects circumcision is *not a circumcised Jew*, but a Jew all the same. §

*See his "Israelit des 19ten Jahrhunderts 1843." The "opinions" of twenty-eight rabbis on the circumcision were published in pamphlet form ■■ MS. in 1844 (Frankfort).

†Lactantius divin. inst. 4-17. In modern times also Prof. Franz Delitzsch.

‡More Nebuchim iii. 9.

§ Zunz: Gutachten ueber die Beschneidung (Frankfurt a. M., 1844). Also Ges. Schriften ii. pp. 191-204.

Gabriel Riesser advocated the idea that no father should be compelled to have his son circumcised. A neglect on his part in this respect should not be accompanied by evil consequences. Freedom of conscience must be respected under all circumstances.

Samuel Holdheim* tries to prove from Gen. xvii. 14, that whosoever wants to find in this passage that circumcision is a sacrament in Judaism is in error. For, argues he, if circumcision makes or unmakes the Jew, how can a Jew who had neglected this ceremony be called a "destroyer of the Covenant" before he had been circumcised? He only can destroy a covenant with God who had belonged to it before. This passage proves the contrary of what the orthodox rabbis find in it, namely, that the Jewish birth, and not the circumcision, make a person a Jew to all legal purposes.

It is strange, Holdheim continues, that Moses speaks once only of the Abrahamitic rite, not even mentioning it in the Ten Commandments, and fixes no civil penalty in the penal code for its neglect, while the Sabbath is mentioned numerous times as "sign of the covenant." But even the Talmud † considers the uncircumcised Jew still a Jew. Hence circumcision is a ceremony, like so many others. The great age of the rite proves nothing, inasmuch as it was practiced among other oriental nations long before its institution in Israel. Holdheim arraigns Mannheimer, of Vienna, for having said that he would not register in his matriculation book a boy who, though born of Jewish parents, had not been circumcised. Holdheim claims that such proceeding would be fanaticism, as even the Talmud excludes *him only* from the fold of Judaism who worships idols and denies the existence of God.‡ Why is it, Holdheim asks, that only the question of circumcision animates the rabbis of to-day to show their hierarchical and inquisitorial propensities? Was not rabbinical jurisdiction in former times empowered to enforce the practice of *every* Jewish ceremony? In the Boraitho Kethubot 85 it is ordered that he who would neglect the observance of Succah or Lulab should be punished by thirty-nine lashes afflicted on his body for the first offense, and should be whipped *until he dies* after the second offense. Who, then, even of

* See his pamphlet: "On Circumcision, in its Religious-Dogmatical Relation (Schwerin and Berlin, 1844).

† Chulin 4*b* 5*a*, Abodah Sara 27*a*. See Samuel Holdheim in "My Biographical History of Reform Judaism."

‡ Megilla 13*a*, Chulin 5*a*, Maimonides, Idolatry ii. 4, כל הכופר בעיז נקרא יהודי: "He who denies the belief in idolatry is called a Jew."

our conservative Jews, would escape death? The "*Sepher Hammizvoth*" wants this penalty applied to transgressors of every Jewish observance. Holdheim claims that the intolerance of the modern rabbis in the question of circumcision means a step backward, far behind Moses Mendelssohn, who had proven beyond the shadow of a doubt that *force is out of question in matters of religion.* He concludes that *not the circumcision, but the birth, is the element of allegiance to Judaism.* Hence an *uncircumcised Jew is a Jew all the same.*

In a letter to Zunz, dated March, 1849, Geiger said as follows:

"Circumcision remains a bloody, barbarous act which fills the mother with sickly strain and the father with anxiety, and the consciousness of sacrifice which at one time gave sanction to the act *has vanished in our days*, and does not deserve to be perpetuated on account of its barbarous character. While it may be true that at one time, prompted by sincere religious feeling, people clung to it with every fibre of their being, *in our day it has for its support only custom and fear, and we surely do not want to erect temples to fear and custom.*"* In a letter to Wechsler of 1849, Geiger proposes to bless the mother in presence of the child, which ceremony might in time supplant the circumcision — which will go by and by — just as the introduction of confirmation has done away with the "Alfanzerei" of the Barmizvah.†

The same question created a stir in Germany in 1847. The scene of the action was Teterow, a village in Mecklenburg-Schwerin, and the leading actor was the famous Dr. David Einhorn, then successor to Holdheim in the influential position of Land-rabbi of Mecklenburg-Schwerin. A Jew of Teterow neglected the circumcision of his son, but declared his intention to have him reared in the religion of Judaism, and demanded the matriculation of the boy in the register of Jewish births. He also insisted upon naming the child in the synagogue. The teacher of the congregation inquired of the "oberrath"‡ how to act in the matter. The answer, signed by Dr. Einhorn, dated November 25, 1847, is of such great interest that I deem it advisable to translate from the German the most striking passages and salient points of the same. The whole material is

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* Geiger: Posthumous Works, vol. v., pp. 181–182.

† Ibidem, pp. 202–203. See my book: Biographical History of Reform Judaism. Abr. Geiger.

‡ This is a title and means "counsellor."

contained in Einhorn's valuable magazine, "Sinai," vol. ii., pp. 699, 731, 763, and vol. iii., pp. 796, 827, 859, 926, 955.

"Even from the Talmudical point of view, it is a generally accepted, undisputed principle that, while circumcision is for the Jew one of the most sacred and important religious obligations, it does, nevertheless, *not condition* the admission into the Jewish religious community. Every one born of Jewish parents is to be regarded as a Jew in all matters pertaining to rights as well as to obligations. * * * A Jew who worships idols, or who embraces another religion, or who denies the existence of God, has surely stripped off the characteristic marks of the Jew in a greater measure than the uncircumcised Jew.* And yet, even such faithlessness against Judaism can not tear him from the chain of our religious community. According to the rabbis, a public desecration of the Sabbath involves the denial of the Jewish creed, which is not the case with the neglect of circumcision.† In other words, Sabbath is of greater import than circumcision, because the public desecration of Sabbath means the intention not to belong any more to the Jewish religious community. He who does not practice circumcision commits, therefore, the same sin as the one who neglects a precept, the transgression of which is to be punished by *kareth* (excision), as, for instance, he who would partake of unleavened bread on Passover. This decision was rendered by the Bethden (collegium of rabbis) of Fuerth in a note to Behr's Catechism.‡ And yet even the public desecrator of the Sabbath has never been considered as no longer belonging to the Jewish fold. How much less, then, can he be excluded who does not practice the ceremony of circumcision, especially in a case where the father, far from intending to break with our religion, promises to rear his child in the Jewish religion and wishes to have him named in the synagogue? Much less can the innocent boy be punished for a sin which he had never committed.

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*I dare say, without fear of contradiction, that there are very few Jewish congregations in America which can claim to have not one atheist or agnostic among their members.

† מומר לערלות דינו כמומר לעברה אחת "He who does not observe the ceremony of circumcision neglects one observance only." In this connection I call attention to the response of Rabbi Salomo ben Adereth (ר' ש' ב' א'), where he permits a Jew to eat from the Shechitah of an uncircumcised Jew. The passage reads thus: ומשומד לערלות אוכלין משחיטתו ובלא בריקת סכין דמשומר לדבר אחד אינו משומד לכל התורה:

‡ This decision is also referred to in Dr. Aub's "opinion" on circumcision, in Referate Zur Leipzeiger Synode, 1870.

Einhorn then instructed the teacher of Teterow to name the uncircumcised child in the synagogue, and concluded with a hearty blessing of the child.*

No wonder that such a decision, rendered by a Jewish religious body in Germany forty-four years ago, did not fail to produce a great sensation and storm. A few years later the orthodox preacher, Dr. Saalschuetz, of Koenigsberg, Ost-Pruessen, confirmed an uncircumcised Jewish boy† in the synagogue.

The well known Professor Delitsch, of Leipzig, at that time in Rostock, came out in a strong letter against Einhorn entitled "The Isr. Oberrath on the Circumcision," which was published in the Rostocker Zeitung of December 6, 1847. Delitsch claims among other things that, from a Talmudical point of view, and in accord with the practice of the synagogue, the desecrator of the Sabbath deserves death, and that it is mainly due to the decline of congregational discipline when desecrators of the Sabbath and transgressors of other ceremonies are counted to Minyan and called to the Thorah. Delitsch concedes that it makes no difference whether a Jew neglects the law of circumcision or any other Mosaic law.‡ He is looked upon, not only by the Talmud, but even by the enlightened Joseph Albo as one who denies the belief in revelation, and as such he is no more considered as a Jew.

It is needless to say that Delitzsch, as a *Christian missionary*, must have been shocked by an official declaration of a Jewish body that circumcision is not regarded by the Jews in the light of a *sacrament*. He was apparently afraid that such a declaration might induce Christians not to regard baptism as a sacrament. Hence his uncalled-for meddling in Jewish affairs. *Hinc illæ lacrimæ*. It is a fact that orthodox Christianity had always proven an uncompromising enemy of the Jewish reform movement, because it felt, and feels instinctively, that this movement is to bring about the unification of the civilized world under the banner of ethical monotheism, which is identical with the Judaism of the prophets.

Einhorn replied to Professor Delitsch and proved, among other things, from the Schulchan-Aruch, that an uncircumcised Jew is

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* See Einhorn's Sinai, ii. 736–9.

† Dr. Leopold Hein, of Frankfort, and Dr. Wechsler, Land Rabbi of Oldenburg, have done the same thing.

‡ This decision of Delitsch, who claims to speak in the name and in the interest of orthodox Judaism is significant.

entitled to officiate as shochet.* He also proved — and this is, for our subject, of special importance — that the proselyte who intends to embrace Judaism can do so, in the opinion of one of the greatest rabbinical authorities, without undergoing the operation of circumcision.†

An uncircumcised Jew has, according to the Talmud, the privilege of performing Jewish ceremonies (Jebamot 71*a*). Einhorn further said that Delitsch was mistaken in his argument that "*Kareth*" includes also exclusion from the Jewish community. On the contrary, our sages decide that a person who commits a transgression which is punished by excision — death — is exempt from every other civil penalty, even from the payment of a fine. That an uncircumcised person can not partake of the "pessach lamb" is simply due to the fact that to be "uncircumcised" and to be "unclean" are identical terms from the biblical point of view, and the "paschal lamb" is considered holy food. Hence if the exclusion from partaking of the paschal lamb would mean, as Delitsch puts it, an exclusion from the Jewish community, the Israelite who is unfortunately unclean through contact with a dead body would have to be excluded from the pale of Judaism.

Aside from this, the carelessness with which Moses treated the circumcision of his son (Exod. iv. 25), and the fact that all the Israelites who were born in the wilderness were not circumcised at all (Joshua v. 5), proves conclusively that during the biblical period a neglect of circumcision could not have been accompanied with exclusion from the fold of Israel.

In conclusion Dr. Einhorn politely declines to accept Delitzsch's suggestion that the only way for the Jews to free themselves from the yoke of the ceremonial law would be their conversion to Christianity.

Professor Delitsch replied again, and Dr. Einhorn followed with an answer, in which he emphatically protested against the sacramental significance of the circumcision. The fact that a circumcised non-Jew was entitled to partake of the paschal lamb is proof of its *non-sacramental* character. The Jewish birth confers the same privilege upon a male child that it bestows upon a female child, which is another proof that allegiance to Judaism and circumcision are two distinct subjects, and independent of each other. (In a

* Shulchan Aruch, Yore Deah ii., p. 768; also §1, ibidim.

† Jebamot, 46*a*. Sinai, iv. 769. Rabbi Joshua is alluded to.

resolution passed at the Rabbinical Conference of Philadelphia the very same words are used.)

According to Yoreh Deah, 266, 12,* the male child of a baptised Jewess must be circumcised, which proves that being born of Jewish parentage constitutes allegiance to Judaism, even when these parents have embraced another religion. If rank apostacy does not exclude a person from the pale of Judaism, how much less will the neglect of one ceremony — and be it such an important one as Sabbath † or circumcision — accomplish this? Delitsch's great mistake was that the penalty of kareth was for him equivalent to exclusion from the Jewish fold, while, in fact, it means "excision," "extermination," a punishment inflicted by God. According to this theory, which is shared by the orthodox Jews, a person who transgresses one of the thirty-five ‡ other laws, aside from circumcision, which are punished with כרת, would have to be excluded from the pale of Judaism.

Delitsch, driven from his positions, intrenched himself in a "last forced word against the statements of the land rabbi" behind the "opinions" of orthodox rabbis on the circumcision, as published in the "Rabbinische Gutachten Ueber die Beschneidung." §

The controversy came to a close by a declaration of Dr. Einhorn, in which he proved that Delitsch was a dilettent so far as a discussion on Talmudical questions is concerned. Among other things he said:

"Should thousands of rabbis in our day declare that circumcision is a condition of admittance into the Jewish congregation, it would nevertheless remain true that according to Talmudical doctrine the Jewish parentage conditions membership in a Jewish congregation." * * * Rabbinical or historical Judaism recognizes even the children of baptised parents as Jews. These are facts. Therefore, he who claims that rabbinical Judaism considers an uncircumcised Jew as *ipso* excluded from the pale of Judaism has stated an untruth, and has willingly or unwittingly committed *treachery against the cause of Judaism.*

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*See טור זחב and שבתי כהן

† Delitsch, more consistent than the leaders of orthodoxy of the present, excluded also Sabbath-breakers from the Jewish fold.

‡ Such as eating lard, blood, chomez on Passover, etc.

§ Collected and edited by Rabbi Trier, of Frankfort 1844. See also ch. vii. My Biographical History of Reformed Judaism.

A similar case to the one in Teterow-Mecklenburg happened in Horic, Bohemia, in 1857, when a physician, Dr. Levit, refused to have his son circumcised. Einhorn took the same stand as in 1847. (See "Sinai," vol. ii. pp. 699 and 731 FF.)

Dr. Elias Gruenebaum, in his "Ethics of Judaism," in a chapter on "Proselytism," says: "That while circumcision of heathens who were converted to Judaism was considered desirable, *it was not made obligatory.*" (pp. 344 and Josephus' Antiq. xx. 2–4.)

In the Leipsic Synod, in 1869, Dr. Engel and Professor Fuerst submitted the question whether a child who had not been circumcised was for all purposes to be considered a Jew. The question was referred to a special committee consisting of Drs. Aub, Wechsler and the *conservative* Landau, who *all three* answered in the *affirmative.**

The Philadelphia Conference in 1869 declared that a male born of a Jewish mother *is considered a Jew, although uncircumcised*, and a member of the Jewish congregation by *mere birth* alone, just as well as *the female* is. The Synod of Augsburg in 1871 reported favorably upon a resolution that a *Jew is considered a Jew even without circumcision.*

In a meeting of the Chicago Sinai Congregation of March 25 and April 9, 1885, the following resolution was unanimously passed:

Resolved, That the Abrahamitic rite is not an essential condition, the compliance with which must precede or follow admittance to membership in Sinai Congregation.†

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* Dr. Wechsler, the life-long friend of Geiger, called attention in his report to the fact that in Exodus, Leviticus and Deuteronomy greater stress is laid on the observance of the Sabbath, which is called ברית עולם and אות (Exod. xxxi. 13) than upon circumcision, and that the Sabbath-breaker was stoned to death, while Kareth was the only penalty for the neglect of circumcision. He also mentions that Moses had entered into a covenant with the whole uncircumcised generation of the wilderness (Deut. xxix. 9ff לעברך בברית). In the Decalogue of Exodus as well as of Deuteronomy, Sabbath is mentioned, circumcision, however, ignored. See also Ezek. xliv. 79, and Talm. Sebachim 22*b*, Tossafot ר"ה ערל (Referate ueber die d. ersten Isr. Synode zu Leipzig ueberreichten Anfraege, pp. 218–220 (Berlin 1870.)

† See Julius Rosenthal's pamphlet חזק ואמץ, extracts from proceedings of Chicago Sinai Congregation, March 25 and April 9, 1885. A similar resolution has been passed a few months ago (1890) by the conservative congregation in Vicksburg, Miss.

Rabbi Dr. K. Kohler spoke in the Pittsburg Rabbinical Conference, November, 1886, of the circumcision of an adult proselyte as of a "barbaric rite."

I have endeavored to give *in nuce* a history of the circumcision question in the last fifty years.

The unbiased reader must feel convinced after a careful perusal of this material that circumcision was never considered in the light of a *sacrament*, not even by the teachers of the Talmud, and surely not in the biblical literature. This being the case, the neglect of this rite on the side of an *adult proselyte* means simply the setting aside of one of the 613 Mosaic laws (תרי"ג מצות), and can, from a logical point of view, not be looked upon as a greater offense than, for instance, the transaction of a business on the Sabbath day, the wearing of Shatnez,* the neglect of Zizith, a partaking of oysters, ham, etc. And inasmuch as the closing of a store on the Sabbath, the abstinence from forbidden food and from wearing prohibited apparel are not connected with painful physical sufferings, those who set aside the practice of these Mosaic precepts — and thousands of so-called conservative Jews belong to this class — we are, to say the least, not better than a Gentile, who embraces Judaism without subjecting himself to a very painful operation.

The words of the Rev. Dr. Wise, spoken at the Philadelphia Conference of 1869, have, it seems to me, lost nothing of their force in our days. In support of his resolution to admit proselytes into the Jewish fold without the Abrahamitic rite, he said among other things: "There are at present innumerable men who agree with us in principle, who are enthused for our religious idea, who share with us the deep conviction of the unity of God, who would therefore be most willing to proclaim with full sincerity and conviction the *Shma Israel*. Only this ceremony is the great obstacle. Not because these men lack the courage to offer a sacrifice for the sake of their conviction, but because this ceremony is in contradiction with the *spirit* of our religion. It is our task to win these people for our cause."

I can not conclude in a more appropriate way than by adding the following passage of Geiger with respect to Wise's resolution:

"The question is postponed, but it will return there in accord with its entire weight. It is not a question of low proselytism, of mean bartering after souls; we are not after "the poor in spirit." * * * But it is a question of opening wide the halls of Judaism

*A suit of clothes made of woolen and linen.

to enlightened professors of the pure belief in God, and it must be demonstrated whether the progress of Judaism in our days, which is not checked by outward circumstances, can rise to the height of *Deuteronomy*, which (chap. x. 16) admonishes only to circumcise the foreskin of the *heart*, and nowhere makes mention of the real circumcision. It must be shown whether modern Judaism is capable of grasping the spiritual height of a *Jeremiah* (ix. 25) and of an *Ezekiel* xliv. 7–9), who mention reproachingly only the foreskin of the flesh if it is not accompanied by the foreskin of the heart. It must be seen whether the present teachers do not sink down below the teacher of the Mishna, Rabbi Joshua, who deemed the *bath sufficient for the admittance of a proselyte into the fold* of Judaism, and who *did not demand the circumcision.* It remains to be seen whether the rabbis of the present generation will be mindful of the admonitions which Leon de Modena* has given on the subject of proselytes *two hundred and fifty years ago*, in his קול סכל (voice of the "fool," or better of the lion). Leon de Modena complained in his clearsightedness that people did not understand the true import of proselytism, and that here as everywhere else the observances cause obstruction and ruin. The following *modus operandi* ought to have been followed: At first admonition and investigation have to proceed, so that it might be known whether the proselyte is prompted by a religious impulse or an outside influence. Then he ought to be made acquainted with the great significance of the circumcision. If he is willing to undergo the operation, then well and good. If not, *he may take the ritual bath, and he has been made a Jew by means of this.* * * * We do not find in the Bible that Jethro or any other proselyte had undergone the rite of circumcision. This institution would have made it easy for the nations to accept the Thorah, but only according to the precepts of Moses, not, however, in accord with the *arbitrary later additions.* In this way the *Messianic* goal would have been accomplished. * * * The nations would have accepted, instead of Christianity, Judaism, provided that the *unnecessary burdens would have been avoided.* We all would have been *one* people — Jews. Judaism would have become the *universal religion.* As it is, however, we have become an object of ridicule and a laughing stock, and we have always sunk deeper.

* He was rabbi in Venice. See Geiger's Monography on the subject (Breslau, 1856). Also Einhorn's treatment of the subject in "Sinai" vols. i. and ii., 39ff, 69ff, 107ff, 560, 579, 609, 642. 672.

Oh, that we may not go on blindly in this way! Yes, the need of the Talmud wisdom are the "pillars of the exile," for they preserve us in the *exile* and in *servitude*.*

Geiger concludes his article: Thus we look forward with *great expectations* to the further development in *America*. May a fresh breeze come to us from there and vivify us.

This was written December 19, 1870, in Berlin. Geiger no longer walks the earth among the living. May his spirit, however, enliven the next Baltimore conference of rabbis in America. This is the hope of his admiring disciple,

DR. EMANUEL SCHREIBER,
Rabbi Little Rock, Ark.

RESPONSE OF DR. MAX LANDSBERG,

Of Rochester, N. Y.

ROCHESTER, N. Y., August 25, 1890.

Rabbi H. Berkowitz, Kansas City, Mo.:

DEAR SIR:—In reply to your letter of August 20th I would say that the question raised by you is of great practical importance. It is one which ought to be settled in some authoritative manner.

The rite of circumcision has never been regarded as a sacrament without which one could not be considered a Jew. In Biblical times an uncircumcised inhabitant of Palestine enjoyed all religious and political privileges with the single exception of being debarred from participation in the Passover sacrifice.

There is even no doubt that full proselytes were received without this rite. Proof of this is the example of the two princes, Izates and Monobazes and the decision of Rabbi Joshua ben Chanaja גר שטבל ולא מל הרי זה גר

Through the force of circumstances the spirit of exclusiveness grew among the Jews, they became afraid of proselytes and placed insurmountable obstacles in their way. This was right and proper at its time, but we are differently situated. We should at least practice as we preach.

We constantly assert that our religion is destined to win all mankind for the belief in the fatherhood of God and the brotherhood of

* Geiger's Zeitschrift fuer Wissenschaft und Leben, vol. viii., pp. 26–27, and *Bechinath Hatkabalah* Ed. Reggio Goerz, 1852, pp. 33 and 59.

man. But instead of opening our doors wide for those who, in full harmony with our views, wish to join us, we still place in their way a barrier of the most effective character, a barrier which it is time to break down. I declare without hesitation that I favor the acceptance of proselytes who, after sufficient instruction, make a solemn declaration that they will participate in our mission and adopt the Jewish religion. With kind regards, yours sincerely,

MAX LANDSBERG.

RESPONSE OF DR. S. HECHT,

Of Milwaukee, Wis.

To the Rev. Dr. H. Berkowitz, Kansas City, Mo.:

MY DEAR COLLEAGUE:—The question you submit to me, among others, whether the modern Rabbi is justified in receiving into Judaism a male convert without Milah, is one of great delicacy and not easily disposed of It is a question which should be answered, if at all, only after the most careful reflection and with due regard to the possible consequences. Radical changes and startling innovations appear to me risky, if not dangerous, and convenience and expediency ought not, in my humble opinion, decide where a principle is involved. But neither should the mere argument, "This has been custom and usage since time immemorial," be regarded of sufficient weight to stand in the way of rational reform.

The inviolability of Biblical injunctions must be denied on the face of the many precepts and practices laid down in and prescribed by the Torah, which in modern life are observed neither by the so-called orthodoxy nor by the Reform.. On the other hand it is not only the privilege but the duty of every man to allow reason a voice in the disposition of religious matters. Now this reason leads us to the conclusion that the essence of Judaism does not find its expression in external signs so much as in the conviction, the profession and the practice or life. Were the Abrahamic rite all sufficient in making the true Jew, Judaism would bloom and flourish. But it is only too well known that men, although Jews by the accident of their birth, are not Jews in the best sense of the word Besides the most orthodox opinion in defending Milah and championing its uses as one of the most weighty arguments it can adduce the opinion of physicians recommending the Milah as a sanitary

measure. But surely the adult Gentile can not be affected by the omission of the rite, while his reception without the sign of the Abrahamic covenant does not exclude the male children born into Jewish families from the operation of that law, or rite. Reason therefore strongly recommends the adoption of a more humane treatment of those who sincerely wish to join our ranks. And my humble opinion, based exclusively upon common sense and reason, therefore is that where probation, profession and character show the man to be qualified and willing for the performance of the duties devolving upon an Israelite, to be admitted without necessarily exacting the Abrahamic rite as one of the conditions *sine qua non*.

Respectfully,

S. HECHT.

PUBLISHED OPINION OF DR. K. KOHLER,

Of New York.

THE ABRAHAMIC RITE AND THE MISTAKES OF MODERN ORTHODOXY.

To THE AMERICAN HEBREW:—In your last editorial, the third devoted to the discussion of an interview I had with a reporter of the *New York Herald* regarding the admission of a proselyte into Judaism without circumcision, you challenge me with the "candor of which I am capable," to revise my opinion of the Abrahamitic covenant "in the light of special medical knowledge," as offered by Dr. Romondino, a San Diego physician.

To this I would reply, *first of all*, suppose that Dr. Romondino's authority is great enough to outweigh the opinions of prominent physicians who deny the salutary character of circumcision, if not as a prophylact in exceptional cases, you fail to prove that when performed on *adults*, the surgical operation, unless made to avert greater dangers, is, in the opinion of Dr. R., conducive to health, and not, as I hold, fraught with greater risks and in itself cruel and barbarous.

2. You construe my words as to imply a general condemnation of the rite of circumcision as barbarous, whereas both in the *Herald* interview and at the Pittsburg conference I spoke *only of adults*.

3. You must blame the late Dr. Geiger for first having, in a letter to Dr. Zunz in 1845, termed the Abrahamic rite "a barbarous bloody act, which has only custom and fear as its supports."

4. You ought to censure the prophet Jeremiah and the author of the fifth book of Moses, not my humble self, for having attempted to abolish the pagan and, as regards origin, certainly "barbaric" rite of circumcision. Nor, indeed, would I undertake the herculean task for which even Moses had striven in vain; for the Mosaic books plainly tell us that no sooner had he set the African custom aside than his wife, Zipporah, reintroduced it, prompted by fear of an avenging God.*

5. You claim to speak from an arthodox point of view when endeavoring to show that the Abrahamic rite is a hygienic measure, but you lose sight of the fact that the performance of the rite is, in the estimate of Rabbinical tradition and Talmudical law so far remote from being a hygienic measure that in case (a) of a child born with the Abrahamic seal on his body the rite consists in the ejection of a drop of blood, as the blood alone constitutes the covenant; and that (b) a Gentile surgeon is not considered qualified to perform the operation, because only a Jew can perform the *sacramental* act (המול ימול).

6. Your own arguments put you into a dilemma which renders your standpoint altogether *illogical*, if not untenable. Either the law is a hygienic measure, and then it concerns man as man; or it is a religious ceremony, in which case it concerns the Jew as one in need of this sacramental sign.

While declaring it to be a *sacramental* sign of the Abrahamic covenant, the Mosaic law is certainly consistent in putting the penalty of death (excision) on its neglect on the part of any of Abraham's descendants. Yet the very moment the law is understood to be one concerning the health of man in general, it is hard to find a reason why it should be confined to the Jewish race and not like any other *moral* law be considered and declared as binding

*I would especially refer to the instructive article on Circumcision by T. K. Cheyne, in the *Encyclopedia Britannica*. A careful study of the subject, from an ethnological point of view, must convice any impartial observer that circumcision was, and among the many savage tribes of Africa, Australia and America still is, a rite of initiation into manhood, frequently under very painful forms, in order to test the fortitude of the youth and at certain seasons of the year, when a whole group of the boys of the clan are thus consecrated by their blood in a semi-religious manner to the tribal service. The main stress being laid upon the *act* and not upon the fact of circumcision, it is evident that all hygienic reasons given are of secondary origin and importance.

for all men alike, unless the Mosaic law is made liable to the charge of consigning all nations but the Jewish to physical ruin and perdition.

In other words, either the rite of circumcision is solely religious in its nature, a mark of distinction for the Jewish race, or it is a sanitary measure pertaining to man as such. In the former case you must leave medicine alone. In the other case it ought to be sanctioned by a Congress of Physicians,* and recommended to the proper civil authorities for general adoption everywhere and among all classes.

It is a similar piece of folly to claim the Dietary Laws to be laws of hygiene and yet confine their observance only to Jews, as though the rest of mankind was not worth preserving.

As long as religious ceremonies are to serve either as symbolic acts, or as marks of distinction, it is quite proper and legitimate to have their observance limited to the sect or race for whom they have the desired significance of sacredness. But as soon as they are presented as laws of hygiene they lose their distinctively sectarian or racial character, and become moral laws whose observation should be incumbent upon all men. To limit such laws to the Jewish race is in itself an exclusion which can only be termed cruel and "barbarous."

NEW YORK, Sept. 22, 1890. DR. K. KOHLER.

PUBLISHED OPINION OF THE REV. DR. M. SAMFIELD,

Of Memphis, Tenn.

The above open letter to the Rabbis of the United States has been published in the Jewish press, but not one of the editors has given a direct answer in response to the Rev. Dr. Berkowitz's inquiry. Most of them refer the inquirer to the pamphlet published by the Rev. Dr. B. Felsenthal. Very considerate and accommodating indeed! As if Rabbi Berkowitz were not aware of that monograph or had not read it. The Rev. Dr. Felsenthal does not furnish an emphatic and decisive answer to our worthy colleague's interrogatory. It is simply

*Dr. Rosenzweig, a Jewish member of the medical staff of the Prussian army, has actually, in a pamphlet published 1873, proposed the general introduction of circumcision for hygienic purposes, but the moment this would be approved of the rite would cease to form "a sign of the Covenant."

a treatise which theoretically discusses the question and furnishes the various opinions of the rabbis of the Talmud and later ritual codexes. The Rev. Dr. Felsenthal even takes pains to advise his colleagues to follow ancient authority, until a decision may be had by the united consensus of many rabbis. But how can any rabbi act upon ancient authority if that is conflicting? If one says: *Kosha gerim le'yisrael ke'sapachas*, we infer that we ought not to accept any proselytes at all. And how can we apply to our modern times the declaration of R. Meir, that if a person makes merely the negative assertion "that he would not worship idols," he is to be considered a Ger Tashav. And how can a decision be had now by the united consensus of many rabbis if the rabbis are afraid to discuss the question in conference, and even if a venerable rabbi, the Nestor of the Jewish ministry, publishes an evasive reply to his pupil instead of giving a positive answer?

It is remarkable how ready and eager our modern rabbis in America are to call in question, to discuss, to abrogate and to lay low the "covenant of ethical import and sublime moral value" *the Sabbath;* how courageous and bold they are in setting aside ancient authority and landmarks, biblical and talmudical rule, when the question of Sunday services arises, when mines are laid in the congregation eventually to overthrow the sacred pillars of worship on the Sabbath. And how timid, how cautious and how considerate the same rabbis are when "the Blood Covenant" is to be called up for discussion, and when the present phase of historical development of Judaism demands a definite answer to the inquiry: Shall we admit proselytes at all? and if we admit them, shall we exact the same rite as was demanded in ancient times when bloody sacrifices were prevalent everywhere as a religious discipline and requirement? Ah, it makes all the difference whether or not the applause and popularity from among the multitude are in the front of a question or not!—*Jewish Spectator*, Memphis, August 8, 1890.

The utterances of the Rev. Dr. Felsenthal regarding the admission of proselytes, as recently published, have been a surprise to us. Comparing them with the dignified, scholarly exposition he gave of the question several years ago, the latest "thesis" of the Doctor is mere twaddle. It is full of loop-holes and makeshifts, the writer playing fast and loose with "we might" and "we may," evading a direct answer to a plain question and merely saying in a negative way: "I would not object to the admission of such proselytes." It was a superfluous effort on the part of Dr. Felsenthal to prove

that no reform measure on the part of rabbi, congregation and conference can be made obligatory and compulsory upon those who do not give their assent of opinion and decline to recognize the authority of the majority. Ever since the first rabbinical conference met this principle has been promulgated and emphasized at every occasion. The question in its simple form and without being draped in sophistry presents itself in this manner: Is it compatible with the sublime and humane ethics of Judaism and our lofty conception of God to require the "blood covenant" of an adult proselyte? Why should rabbis and congregations insist upon the most rigid conformity to the requirements of one covenant and then permit and tolerate the open violation of another (Sabbath) on the part of the proselyte? There must be no evasion or mental reservation in dealing with such questions—an honest and logical opinion is needed in the premises.—*Jewish Spectator*, October 17, 1890.

The editor of the *Hebrew Journal* attempts to controvert our statement that the late Dr. Einhorn did make declaration against the Abrahamic rite as a *sine qua non* for a mission of child or man to Judaism. Our worthy contemporary must not have read anything of the great controversey between Dr. Einhorn and Prof. Delitzsch, when the former was *Landrabbiner* in Mecklenberg Schwerin (1847), nor seems he to have had at hand the proceedings of the Braunschweig Rabbinical Conference and of the first Philadelphia convention. During the discussions had at these various occasions upon that question, and in articles published in the first volume of the *Jewish Times*, Dr. Einhorn emphatically asserted that as, according to the Talmud, a man who was not subjected to the Abrahamic rite could perform the function as Shochet, and as a proselyte could be admitted by merely taking the ritual bath—circumcision is not absolutely a requirement for admission into the fold of Judaism.

Strange inconsistency! The *quasi* orthodox papers published in New York raise a hue and cry about the admission of the proselyte Gelat at Kansas City, and in their silly syllabus thunder forth that such a man, without the credentials of the sacrificial rite, shall not and will not be admitted in any orthodox congregation. They claim that a new line of separation has been drawn by reform rabbis between reform Jews and their orthodox brethren. Now, if any covenant decreed in the Bible is greater and higher than any other, it is the observance of the Sabbath; it is commanded in the Decalogue, it has an ethical *raison d'etre*, it has a claim and an authority *a fortiori*. Why such inconsistency, and admit the man as a member

of an orthodox congregation who violates the higher and sublimer covenant, and exclude the other who omits an obligation of a lesser ethical value and of subordinate relative position in Bible and Talmud? As to the dividing of the ways between Reform and Orthodoxy the *Hebrew Journal* is correct, only that our contemporary is very tardy in finding it out. Concerning ceremonialism and external rites, Reform and Orthodoxy will always be at variance with each other, at least as long as those terms retain their significance and meaning. Reform believes in historical development, whilst orthodoxy clings to the imaginary authority of tradition; the former maintains that Oriental customs are no part of religion, the latter endeavor to keep them up in the synagogue; Reform emphasizes and extols the spirit and ethical principles of Judaism and favors rational inquiry. Orthodoxy, whilst also recognizing the intrinsic value of Jewish ethics, covers Judaism with the crystalized formations of dead issues. Here are enumerated some of the differences which divide the ways of Israelites who otherwise in the essentials of Judaism, are in accord with each other.—*Jewish Spectator*, September 12, 1890.

The high esteem and reverence in which we hold the venerable editor of the *Israelite* almost tempted us to remain silent after reading the extremely feeble and evasive criticism directed against Mr. Loeb's dissertation on "Circumcision," which recently appeared in pamphlet form* after having been published in the columns of the *Spectator*. We consider it a point of honor, however, to speak a few words in behalf of the *right* of any educated and cultured mind in young Israel to express an honest opinion concerning any custom, law or doctrine of Judaism. Mr. Loeb could not submit the question to a rabbinical conference for reasons too obvious to mention. He could not propose the question to the convocation of the Union of American Hebrew Congregations; it would be returned to him with the remark that it is a subject foreign to the deliberations of the Union. Even the editor of the *Israelite* refers Mr. Loeb and the readers of the *Israelite* to Webster's Dictionary for an explanation; this is the first time we learn that we must look upon that etymological authority as a commentary of the concepts of Judaism, and as a text-book of the primitive history of certain rites and ceremonies. But Dr. Wise authoritatively maintains that Mr. Loeb

*The assertion, made in the *Israelite*, that the pamphlet was printed in our office is incorrect, but we let that pass as an irrelevant, unimportant fact.

is "a dilettant, a sophomore, who must not set up his opinion againt the decisions of authorities," but if this be so what becomes of the opinions of a Dr S. Holdheim, Dr. A. Geiger, Dr. E. Lehman, Dr. Fuerst and of Dr. K. Kohler, the latter having declared most emphatically that "circumcision is a remnant of barbarism?" Are these men also counted among the dilettants and sophomores in the ranks of modern Israel? How is it then that during the synod held at Leipzig in 1869, a resolution was submitted as follows: "The omission of circumcision on the part of the father is simply looked upon as the omission of any other law which is punished by Kareth, but must not be followed by any evil consequences brought about by human laws A Jew, who from any reason has not been circumcised, is entitled to be called to the Sefer Torah, and his oath is just as good as that of any other righteous Jew."

Exceedingly strange it is also that the editor of the *Israelite*, who, as the author of the "History of Israel," constructed so many hypothetical observations can think of no hypothesis which connects the Abrahamic covenant with the sacrifices of children offered by the tribes and races of antiquity, though he confesses that the rite is much older than Judaism. Moreover, to call the rite in question *humane* is a reckless statement, the truth of which does certainly not evolve from the feelings and emotions of fathers and mothers. In one thing we agree with Dr. I. M. Wise. We, too, are opposed to the abolition of circumcision, but not because it is a *humane* act, not because we find it in accord with the *sublime* ethics of Judaism, or an essential attribute of a truly *religious* Jew, but simply because abolition of the rite would involve a fatal schism in the camp of Israel, a division that would sever in twain the unity and solidarity of our people. Of two evils let us always choose the lesser one. The late Dr. Einhorn expressed in our hearing the same view with but slight modifications. In the meanwhile let no man be deprived of the right to speak or write what he holds as an opinion, honestly and truthfully; let every Jewish journal be free from fear in serving as the repository of such opinions, and permit no polemical sophistry and disparaging criticism to silence the voice of reason and truth among men.

The Rev. Dr. S. H. Sonneschein has placed himself on record that he would admit a male proselyte without requiring the Abrahamic rite. He has given a decisive answer to a direct question propounded by the Rev. Dr. Berkowitz, of Kansas City, and by the Rev. Dr. H. M. Bien, of Vicksburg. He has had the courage and

manhood to publish his answer in a recent issue of the *Israelite*. The same decision has been rendered by the late Dr. David Einhorn and Dr. Samuel Hirsch. The Rev. Dr. S. Holdheim, Dr. A. Geiger and a few more of the Reform rabbis in Germany have also reiterated the statement of R. Joshuah, one of the Mishnaitic authorities, that if a non-Israelite desires to be admitted into Judaism only *Tevilah* should be required of him. With such depositions to guide us, and with other materials for reasoning before us the question may be settled at once and forever if only the Reform rabbis in the United States are agreed in practice to abide by a rule laid down by their common consent. Never mind about the Reform rabbis in Europe who seem to have lapsed into silence and inactivity. A day will come, as Leon de Modena predicted, when the method of admitting proselytes will in every land be governed by the loftier and sublimer concepts of Judaism. It also matters little at the present time that only such non-Israelites who wish to marry Jewish maidens will avail themselves of this privilege. It has been the glory of Judaism to promote and diffuse peace and harmony in the domestic relations, and if here and there a marriage is the sequel to a proselyte's admission into the congregation of Israel, no degradation or dishonor to Judaism emanates from it.—*Jewish Spectator*, August 22, 1890.

PUBLISHED OPINION OF DR. M. SPITZ,

Of St. Louis, in Jewish Voice, Aug. 5, 1890.

PROSELYTISM.

The circular letter sent out to the rabbis in America by the Rev. Dr. H. Berkowitz, of Kansas City, and published in all the Jewish papers in the country, has revived this subject in all its perplexing importance. We say, advisedly, "Perplexing," because considering the question in the light of actual, existing conditions in American Israel, we doubt whether any answer at all can be given that might lead to as satisfactory a solution as the best interests of Judaism might demand. For, leaving aside the entire ponderous apparatus of Talmudic and casuistic deductions on the matter, the question might reasonably be asked: To what extent do conversions to our faith from those of other denominations occur in this country? And, are those conversions such as to justify any discussion at all

on the forms to be employed, or on the necessity to change the old ritual in this direction?

Nearly, if not *all* the cases which come up to the attention of the modern rabbi, more especially in this country, we claim, have not in them the elements to render them desirable for the *honesty, truth and satisfaction* of our religious consciousness. We are outspoken when we declare that in every case of modern proselytism that innermost, deep-seated, firm conviction of the *truth* of the faith of Israel is of no consideration, and the *motive* for joining our ranks is invariably of a *selfish*, personal import.

We have, for years past, declined to lend a helping hand in each and every case of proselytism. The Jewish girl whose heart goes out in sweet love to him born and bread in another faith, and the Israelite in whose manly breast the mighty passion is weaving the cord invisibly around the soul of the Gentile daughter—both must content themselves with paving their own path of happiness, which we would not disturb for all the treasures in the world. In every case we know the *cause* that brings the proselyte to our doors knocking for admission, and because we cherish and regard too highly the sacred heritage of our fathers, we always loathe beforehand a form which may please those directly concerned, but does not raise the standard of our religion.

PROSELYTISM—SOME REMARKS ON DR. WISE'S ARTICLE.

Dr. M. Spitz in Jewish Voice, Oct. 17, 1890.

In the year 1878, while yet the rabbi of Temple Emanuel at Milwaukee, a case similar to the one in Kansas City, had caused us to address in a like manner as did our Brother Berkowitz, the most prominent and learned rabbis in the United States; the only difference being that while Dr. Berkowitz sought an authority for admitting the proselyte without Milah, we in our desire to stand justified before the old parents of the Jewish girl wished by an expression of opinion from our colleagues to fortify our position in not admitting the Gentile without the required rite. The result was equally as different, for we refused to admit the gentleman and whether or not the young couple have married each other, we can not tell. This in answer to a paragraph in Dr. Wise's article which we published last week:

"The question whether the Abrahamic rite might be dispensed with in the case of accepting adult proselytes in the covenant of

Israel was raised officially some years ago by the Rev. Dr. Spitz, of St. Louis, Mo., then rabbi of the Emanuel Congregation, of Milwaukee, Wis. The gentleman then took precisely the same course as Dr. Berkowitz did now; consequently Dr. Spitz, to say the least, must have had his doubts in regard to this weighty subject. What he did, we can not tell."

The only thing we can add to the above is that "to say the least" we did "have our doubts" and more, too, with regard to the admissibility of proselytes without Milah; and *the fact that we finally refused to accommodate the young lover of the Jewish girl* proves *conclusively* our consistent position in the matter.

PUBLISHED OPINION OF THE REV. HENRY ILIOWIZI,

Of Philadelphia, Pa. From The Jewish Voice.

DRIFTING FROM BAD TO WORSE.

EDITOR JEWISH VOICE:—Some weeks ago Rabbi Berkowitz, of Kansas City, published an open letter addressed to the rabbis of this land, in which he asked their opinion: Whether a non-Israelite could be turned into an Israelite without submitting to what is well known as the "Abrahamic Rite"? The question was answered by an unanimous silence, save Dr. Sonneschein, of St. Louis, who expressed the conviction that *Milah* was not an indispensible requisite to Jewish proselytism. His answer is perfectly compatible with his often expressed views, and nobody was surprised. Israel's firmer lights continued silent, because they deemed it a desecration of sacred principle to enter into the discussion of a matter the word of God and the light of ages have consecrated as a perpetual distinction of the Jewish people, an eternal covenant between God and Israel One might as well ask: Whether it be necessary for a convert to Judaism to comply with the Decalogue, as question the necessity of entering Judaism through God's covenant with Abraham. Such, however, is not the view of the rabbi of Kansas City, for the American public is informed by this time that on August 26th a Hebrew maiden was united in wedlock to a Christian newspaper man, who was transformed into a Jew by the sole will-power and fiat of that enterprising young minister, who told him: "Be a Jew!" and "he was a Jew." This is evidently considered a triumph of the

so-called "new school of rabbis," who by such reckless irreverence expect to go down "thundering through the ages."

Silence admits of several interpretations; it may imply contempt, indifference or tacit agreement. In his past endeavors Rabbi Berkowitz has proved so prudent and moderate, a scholarly gentleman, so entirely devoid of all sensationalism and braggadocio that he formed a pleasant contrast to such of his schoolmates as are possessed of a morbid taste for notoriety. It has therefore been reasonably expected that the ominous silence of so large a number of his colleagues would discourage an attempt such as this, which strikes at the heart of the oldest Jewish principle. Now that the evil has been done, silence were treason when it appears to imply an agreement with a measure unprecedented in Jewish history, and carried out in defiance of sacred Scripture and tradition. The substitution of baptism for circumcision virtually turned out a substitution of the new covenant, New Testament, new faith, for the old one; the substitution of nothing for the sign of the first covenant is a tacit rejection of Israel's old faith, sealed with the blood of hoary Patriarchs. *Milath Guerim* should, moreover, he upheld as a precious test of sincerity in converts, who embrace Judaism from motives too familiar to be seriously discussed.

The Bible teems with stringent injunctions relating to the question of *Milah:* "This shall be a token between me and thee," says the Lord to Abraham. "We can not do this to give our daughter to one who is not circumcised," says Jacob's cunning sons to Schechem and Chamar. The Passover could not be celebrated by one who had not submitted to this rite. When Joshua had all the desert-born Israelites circumcised he said: "This day have I rolled the reproach of Egypt from off you," etc. In כריתות—page 9—it is plainly stated: "No proselytes can enter Israel's fold or covenant, without circumcision." הגרים לא יכנסו לברית אלא במילה

The *Sabbath* and *Milah* are destined to be two eternal signs between Israel and his God. Discard those and what remains of Judaism? We have enough of the ערב רב in our own ranks, and the Jewish cause is only hurt by converts of that nature. The zealous young rabbi of Kansas City will, we sincerely hope, live long enough to rue the rashness of an innovation calculated to remove the last barrier that separates Judaism from Christianity and heathenism, and he will have to toil many a year to restore the confidence of the Jewish public in his Jewish loyalty.

PHILADELPHIA, Sept. 4, 1890.

PUBLISHED OPINION OF DR. E. G. HIRSCH,

Of Chicago, Ill.

We have no quarrel with those who honestly believe that whatever institution the Pentateuch chronicles as having been practiced by the ancient Jews and prescribed by the law, has its origin in a divine command, communicated somehow or other to the Jews. How they will reconcile their faith with certain facts brought to the light of the day by the indefatigable researches in the domain of ethnology and what is called folk-lore, is their business, not ours. We, however, object when these men, who apparently shut their eyes to the facts abundantly collected, desire us to follow their example, and upon our refusal so to do, break out in immoderate tirades, spiced with more or less elegant pet names, and hurl their anathema against us. Whether it be to our taste or not, science has shown that the origin of circumcision is other than that commonly accepted by the uninformed childlike trust of former generations. The words written by Letourneau, by way of preface to his book, "The Evolution of Marriage, etc.," apply to the Abrahamitic rite, so called, as well. "The most splendid blossoms have had very mean germs as their starting-point. Remembering this, one will not be disconcerted or troubled by the sociological history of the human race; and however shocking, however extravagant certain customs may appear, one will be careful not to become indignant, and certainly not to deny them off-handedly solely because they run counter to our customs and our morality."

The shallow rationalism of a former age of thought tried to save the letter of this and other institutions by attempting to show that they were intended to preserve the health of the devotees. The remedy proposed was worse than the disease. Following their train of thought one was forced to admit that the God of the Jews had no concern for the health of his other creatures save that of the Jews. He left the whole world in ignorance of the beneficial effects of certain practices; cautioned the Jews against partaking of certain food, and in the same breath commanded and countenanced its use for, and sale to the non-Jew. There is no doubt that all these institutions fondly spoken of by our orthodox rationalists of modern date as laws of health, spring from religious ideas, and had no bearing upon hygiene. The old sturdy orthodoxy now passing away never presumed to rationalize about them. They were God's law. And therefore and for no other reason they had to be obeyed. Our

modern Goliaths of faith have the harder task to prove that the dietary laws and the rite commanded for the sons of Abraham, have the effect upon the health of men presumed. Much of course is made of the statistically shown longevity of the Jews. But is this due to the dietary laws now more honored in the breach than otherwise? While the figures may be correct, their construction is open to serious objections. It will appear, upon closer inspection, that the advantage of the Jews, which affects the resulting figures, consists in a by far smaller mortality in the years of infancy when the dietary laws can scarcely be said to have an appreciable influence. As a rule Jewish parents take better care of their children than do the corresponding social classes of non-Jews. The poorest among us are in consequence of the better organization of our charities, able to command the services of a physician whom those among others who have not the machinery of similar relief societies at their command, will hesitate to employ, and often wait to employ till it is too late. Were the figures taken as they should be, not by totals, but by corresponding periods of life, and in the corresponding class of social position, the result would show that the immunity is imaginary and is not attributable to the effect of the dietary laws. To clothe the Milah with the halo of beneficial effects upon the health, displays extremely good taste and morality. די לחכימא ברמיזא

The Jews are not the only ones to practice the latter rite. Are the negro races who observe the same sign of the covenant also exempt from the physical ailments which the right is said to prevent? We recommend to the defenders of this rationalism the careful reading of the descriptions of the explorers of the regions where even the non-Jews are not *'Arelim*. But it is a poor rule that does not work both ways. Statistics prove also that, comparatively speaking, the Jews are more frequently attacked by cancerous affections than other men; that nervous diseases show a greater percentage among the Jews than among other elements of society. Well, are these also the results of the dietary and other hygienic prophylactic arrangements? The Russian Jews, poor, hapless lot they are, show a tendency to pulmonary affections clearly marked. And they, as a rule, are strict observers of the hygienic rules. What now of their vaunted preventive effects? The fact is, these customs have nothing to do with health; they spring from religious ideas and were adopted and adapted by the later priestly Judaism. The dietary laws are a survival of a species of Totemism. Robertson Smith's researches have made this plain and the objection urged against his theory

by Jacobs and other archæological scholars have not succeeded in shaking the basis of his inductions. Circumcision is, perhaps, not one of the mutilations with which Spencer and other English writers classify it. Ploss, to our mind, conclusively connects it with the ceremonies of initiation as full grown men into the community of the tribe or clan which the boys will undergo among many races when reaching maturity. It is connected as such initiatory rite with marriage. The student of the Bible must, unless he can not wean himself from the prejudice that the Bible is a book to be read by canons of criticism not applicable elsewhere, remember at once certain expressions connected with this rite, showing conclusively that among the Hebrews the rite had no other meaning than the one Ploss discovers it to have among other tribes.

Now, whatever the origin of such customs, their value and character is not affected as long as they really stand for a modern, a living idea, a religious hope or confidence symbolized by the act. Is the Abrahamitic rite of this kind? We doubt it. Certain it is, it does not correspond to the sacrament of Baptism. The position of the Talmud is clear, the Jew need not submit to the rite, and still must be considered a Jew. The punishment of excision will befall the renitent only after death. As long as he lives he is one of Israel. This position has often enough been emphasized by synods of even pronounced conservative leanings. Rabbis have not the right to presume to-day to set their authority as rabbis, if there be such a thing in Judaism, against the discussion of this or any other question by whomsoever. There is no distinction in Judaism between layman and clergyman; there is one between the scholar and the non-scholar *Ex cathedra* this or any other question can not be decided. There are only two ways to decide it. Accept the word of the law as having come from God, but then cease rationalizing about health and hygiene; or adopt the strictly scientific method of criticism, and after having discovered the origin of the custom, and traced the later character of the rite in Judaism, ask seriously and reverently whether the idea for which the rite stands, is still a religious one for us, and if it is, whether the rite itself is the chastest and most adequate symbol of the idea. This investigation can not but lead up to a candid and for all that, reverential decision.—*Reform Advocate*, June 12, 1891.

YEAR BOOK

OF THE

CENTRAL CONFERENCE

OF

AMERICAN RABBIS.

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PROCEEDINGS

OF THE

THIRD ANNUAL CONVENTION

CENTRAL CONFERENCE OF AMERICAN RABBIS.

The third annual convention of the Central Conference of American Rabbis opened its sessions at New York, in the spacious vestry-rooms of Temple Beth-El on Wednesday, July 6, 1892, at 8:30 o'clock P. M. The convention was called to order by President Dr. I. M. Wise and the Recording Secretary, Rabbi Charles Levi, entered at once upon his duties of office. In the absence of the Vice-President, Dr. K. Kohler was unanimously elected to that honorary office and was escorted to the platform by a committee of three, expressing his obligation to the Conference for the honor conferred. Dr. M. Harris, of New York, was then elected Assistant Secretary. The organization being completed, the chairman called upon Rabbi R. Grossman to open the proceedings with prayer. The Rev. Dr. Joseph Silverman followed with an address of welcome and extended greetings and the hospitality of the resident Rabbis to the convention. To the welcome thus given, Dr. I. M. Wise, President of the Conference, responded and delivered the following annual message:

GENTLEMEN, COLLEAGUES AND BRETHREN, MEMBERS OF THE CENTRAL CONFERENCE OF AMERICAN RABBIS:—Permit me to express my profound reverence of this "assembly in the name of heaven" כנסיה לשם שמים this body of unselfish laborers in an ideal cause, this beacon light of Israel's Thorah in the land of the free.

It always appeared to me that the saying of that ancient sage

יפה שתיקה לחכמים

signifies, "In presence of wise men silence is well becoming." So

in this august assembly I ought to say as little as possible, and I will say no more than is absolutely necessary in obedience to general custom.

This association to maintain and to convene annually, the Central Conference of American Rabbis, is but three years old. Three years ago it was constituted in the city of Detroit. It consists now of one hundred and five regular members and one honorary member, all officiating Rabbis in the various congregations all over the land and in Canada. It lost last year by death one member, the Rev. Mr. Solomon, of Appleton, Wis., and one honorary member, Rabbi Liebman Adler, of Chicago, Ill. Two annual conferences preceded this; one 1890, in the city of Cleveland, O., and another in 1891, in the city of Baltimore. Two numbers of the corresponding "Year Book," edited by the Secretary, the Rev. Dr. David Philipson, containing the proceedings of these conferences, together with many valuable papers of historical interest have been published and distributed; and yet the finances of the association are in a healthy condition, showing a surplus of nearly four hundred dollars in the hands of your Treasurer. The entire literary work in the two numbers of the Year Book was done by your members ואין לזרים אתך. So far, under the protection of God, the work was very prosperous. There never was in this country any Rabbinical Union of this numerical strength or financial prosperity.

THE WORK DONE.

The main work hitherto done by this association is to prove to our co-religionists the truth of the old saying:

תלמידי חכמים מרבים שלום בעולם

"The disciples of the wise augment peace in the world"; like the disciples of Aaron, the high priest, who love peace and pursue peace, love the people and draw them nearer to the Thorah. A hundred and more Rabbis united in peace and fraternal sentiments—certainly a new and hopeful phenomenon in our modern history—is undoubtedly an eminent start to that covenant of peace, which shall comprise the whole house of Israel in this and every other country. This is most emphatically a covenant of peace, for it stands by and with the Union of American Hebrew Congregations, as did Ruth with Naomi, an admonition to all that we must be a solid union to be the Israel of this continent, the representative of

the immortal and indestructible people that gave and gives to the world the sublime lessons of one God, one truth, one justice and love for all—one covenant of peace.

With this body, it is not that peace which springs from mutual toleration and indulgence, the affinity of selfish interests, or the prudent silence of ambition. Such a peace, like the love of Amnon and Thamar, is liable to sudden ruptures; when prudence, policy and hyprocrisy, shrewdness and diplomacy, in an unguarded moment forgot the stage actor's *role*. This is not peace; it is what the Germans call *ein fauler Frieden*. Peace with us rises naturally and harmoniously from the sameness of cognition and conviction, the uniformity of cardinal principles, the oneness of underlying motive, the disinterested and impersonal impetus to serve God and Israel to the best of our knowledge and abilities. This is the covenant of peace of which the prophet, in the name of God, speaks וברית שלומי לא תמוט. "And my covenant of peace shall never vacillate." It is the right peace, the union of hearts and minds, peace in union and union in peace, which this association of American rabbis symbolizes and realizes in itself, to stand as a beacon light of peace and union before our brethren everywhere, to be realized and made constant in the entire house of Israel. This is the main work done and to be done by the Central Conference of American Rabbis. As teachers in Israel it is our solemn duty to stand before our brethren as symbols and banner bearers of peace.

HOW ACHIEVED AND TO BE SUSTAINED.

"Not by a host (of warriors), not by force, but by spirit," says the Lord of Hosts, victories are achieved. In order to achieve this victory over prevailing strife and dissension, only the men who are filled with the spirit of God could be called upon to co-operate in the name of God and Israel. The "Spirit of God" is truth and intelligence and zeal to promulgate both, as the prophet defines it in the case of King Hezekiah. (Isaiah xi. 2.) "The spirit of wisdom and understanding, the spirit of counsel and might, the spirit of knowledge and the fear of the Lord." Wherever these qualities predominate, there is the spirit of the Lord, and with this spirit, and in obedience to its dictation and prompting, the covenant of peace could be established and sustained.

Truth is the first condition. Therefore this Central Conference at once, without apology and artificial diplomacy, unfurled the banner of historical Judaism as its standard and insignia, to wave over

the hosts of Israel. Historical Judaism is a departure from Kabbalistic mysticism and rabbinical legalism. It is the spirit of the Lord manifested in the history and literature of Israel, not in one country, one age, one set of believers and teachers, but in all generations and countries, in all minds in which there is a spirit of knowledge (or rather cognition) and the fear of the Lord—in all and everywhere, from Abraham and Moses down to Malachi, from Ezra to Rabbi Jehudah Hannassi, from Abba Arekha and Rabbi Jochanan down to the last of the Gaonim, from Saadia to Abarbanel, from Moses Mendelssohn to Abraham Geiger, from the first Rabbinical Conference to the last, of the year 1891, including the whole literature from Zunz, Jost and Rappaport to the last productions of authors in the spirit of knowledge and the fear of the Lord—concerning all of them we exclaim with the teachers of old אלו ואלו דברי אלהים חיים "All phases of Israel's history and all revelations in Israel's literature contain the words of the Living God of Israel;" and only that which appears in all and everywhere is the manifestation of absolute truth; and this alone is the immovable foundation and center of historical Judaism, the banner of which we hold up high as the standard and insignia of peace and union in Israel. Whatever is dead is no life-giving element. Whatever is mutable, perishable הווה ונפסד is not absolute, it is not truth *per se;* hence it follows what the prophet said יה' אלהים אמת "God (perhaps God alone) is absolute truth"; it follows also, that the manifestations of the spirit of the Lord could be only those verities which remain forever unchanged and uncontradicted, and these are the foundation and center of historical Judaism, upon which the covenant of peace can be reared and maintained.

The Kabbalah, with its mysticism and its ramifications into modern Hassidism, and the semi-Kabbalistic Rabbinism, reaching into the very heart of our so-called conservatives, was never acknowledged as Judaism, and was no less placed under the ban than Caraism by the Rabbinites. It is not the spirit of wisdom and understanding; it is not of the spirit of the Lord. Science overcame it. It is not truth. We can do nothing with it.

Legalism is not historical Judaism. Any so-called law is no more than the momentary incarnation of a doctrine or precept to regulate and govern social relations or emergencies, The relations and emergencies passing away, as do all relations and emergencies, the so-called law is no longer applicable or obligatory (בטל טעם בטל דבר) although the doctrine or precept it did represent may be

eternal. This is most sweepingly admitted by Moses Maimonides in his epistle to a pious man in Alexandria, on the question of the value of the *Mitzvoth* in obtaining eternal life. He says:

סוף סוף אין לך דבר שעומד לעולם ולעולמי עולמים אלא השית׳ בלבד.

"Nothing besides God is of eternal duration"; so no law and no commandment ever could have been intended to be eternally obligatory. The Rabbis of the Mishnah and the Talmud acknowledge very frequently

כל המצות בטילות לעתיד לבא

"All Biblical commandments will come to an end in some future day," and they were originally only given לצרף בהן את הבריות to educate, train, purify, refine, and elevate the nature and character of man. It is maintained that כללים principles and general doctrines only and no specific laws and commandments were revealed to Moses, and נצחת התורה the eternity of the Thorah refers to those principles and general doctrines only, not to any specific laws or commandments. The whole Pharisean system of expounding the law is based upon this conception of specific laws; the Rabbis of the Mishnah tell this clearly enough when they speak of the former Mishnah, and the later Mishnah replacing it; or this Mishnah was taught in the time of Nehemiah; of Rabbi Akiba, or even of Rabbi Jehudah Hannassi, and was law only in their time and not after it. (*Sepher Kerithoth in Leshon Lemudim*, 39.)

When it is maintained on the one hand מנהג ישראל תורה "Custom of Israel is law" and מנהג עוקר הלכה "Custom is of a superior authority to the law," it is corrected elsewhere that no law was established, if it was not ancient custom already, and all customs which are not based upon the Thorah are mere errors. (*Ibid.* Yemoth Olam, 19.)

Laws grow out of customs, and customs must be based upon the Thorah; hence laws and customs not rooted in the Thorah have no authority. Therefore after Abaya and Raba הלכה כבתראי the decision of the most recent authority is canon. (*Tosephoth in Kiddushin* 45*b*.) Our time is too limited; we can not go into details to establish the rule that legalism is not historical Judaism, as all laws are subject to amendment and repeal. We can only point yet to the case of Rabbi Jehudah Hannassi when he declared certain cities free of the tithe laws (*Yerushalmi* in *Demai* 2; *Perek* and in *Babli Chulin*), he was accosted by the critics thus: "The place

which thy fathers and forefathers looked upon as prohibited, doest thou declare permitted?" He, referring to the work of Hezekiah in destroying the idolized copper serpent, replied, "God has left this crown to us to be crowned with." Abrogating a law and ancient custom, in the sense of this, most honored Rabbi Jehudah was a God-sent diadem to glorify the teachers that so ordained it.

Laws and customs belong to the class of the mutable and changeable, the הווה ונפכד hence none is eternal *per se*, none represents absolute truth except by its underlying principle, doctrine or precept. Well, then, it is not the law and custom, it is the underlying principle, doctrine or precept, which rise from the כללים of the Thorah, which is the eternal and imperishable Judaism of history, to which we cling, to which Israel did forever cling. This the prophet symbolizes as the mountain of the house of the Lord, to which the nations will flock and ascend it, to learn therefrom God's way in order to walk in His path; for from Zion will go forth the Thorah and the word of God from Jerusalem.

THE CONSERVATIVES.

Here the so-called conservative or semi-orthodox brethren, or others for them, chime in, in the language of the prophet, "Peace, peace, and there is no peace;" you proclaim a covenant of peace, of union to embrace the entire house of Israel, and place yourself upon the very pinnacle of progressive and reformatory doctrine, against which we all the time raise our protesting voice. You represent but a faction in Israel, we can not go with you, nor sanction your resolves or proceedings. Our reply to this objection is to the so-called conservatives, that this Central Conference at its very start excluded the so-called conservatives, because they merely call themselves so, either by self-delusion or for the sake of effect. A covenant of peace and union can be maintained only among men of decisive principles and outspoken sincerity, who combine with the fear of the Lord, the spirit of wisdom, understanding, clear cognition and solid conviction; because peace and union, as we understand it, can prevail among such men only. Not we represent a faction who cling tenaciously to the spirit of Judaism, to the Judaism of all ages and countries, with due consideration to the prevailing spirit of our country, and the vast majority of the sons and daughters of this land, both Jews and Gentiles; those who maintain to conserve outlandish anachronisms, which

long ago disappeared from the souls and consciences of our brethren, deceive themselves and misjudge others, know better and hesitate to confess it—those are the representatives of a faction, and a very small one at that. They may protest against us--outside of our association—we do not protest against them. "They that go by do not say, 'the blessing of the Lord be upon you'—" yet, "we bless you in the name of the Lord." This Conference says to them: "I am for peace; but when I speak, they are for war;" we can not construct with them the covenant of peace—so the history of the last quarter of a century teaches us—and so we must do it without them, and wait till they come to us.

THE GENUINE ORTHODOXY.

We can not count those recently from foreign countries, identified with the orthodoxy of Russia, Poland, Galicia, Roumania, Hungary, or any other country, when we speak of a covenant of peace in the American Israel, for they are not yet identified with us. Our country owes them and secures to them protection and the rights of man. We, as Israelites, owe them assistance, kind advice, support, sustenance, a brotherly hand and a brotherly heart, and we do joyfully accord them that, without taking any notice of the impudence and imprudence of their public organs in berating and denouncing us American Israelites as reformers, which means downright heretics, infidels or something worse. The generosity, we are proud to say, is all on the side of our men and women. But, for all that, we can not count them as factors in the cause of American Judaism It is, and must be, perfectly indifferent to us how large or small their number is, what they say of us, about us or against us, their voice and opinion can have no weight with us.

We can but say to them what Rabbi Pinchas ben Yair said of his marvelously pious ass:

(Yer. Demai 1 chap.) מה ניעבד להדא עלובתא דהיא מחמרא על גרמה סגין

"What shall we do with that bashful being who is so very severe upon herself?" He meant not the she-ass; he meant the rigorous hyper-orthodox masses, that forced him also to rigorous measures, contrary to Rabbi Jehudah Hannassi's will. We can but look with sympathy and pity upon those who have grown up under the yoke of despotism, ostracised by haughty barbarians and prostrated under the burden of self-imposed observances which they consider matters of religion. We can pity them, help them, console them;

but we can give them no voice in our council, nor bestow any consideration upon what they may say for or against us. Our standpoint is not theirs; their civilization is not ours. They could be of no assistance to us in constructing this covenant of peace and union, although we do construct it for them as well as for ourselves.

THE LEGALITY OF THE CONFERENCE.

Within its long course of existence, historical Judaism has changed its forms and formulas numerous times. Like every other natural being, it changed its forms by its own inherent force, by the spirit within it and the environs about it. It changed policy and ritual quite frequently. Laws were enacted and repealed; customs, observances and ceremonies were evolved and disappeared in due time, all by the immutable spirit within and corresponding to the environs without. When Moses Mendelssohn maintained that only the Law-giver himself could amend or repeal the Pentateuchal laws, he proved his deficiency of historical conception, and closed his eyes to the stubborn fact that the Judaism of his time had hardly any similarity in its outward appearance of Pentateuchal Judaism. He overlooked that Moses himself provided for amendation of the law (Deuteronomy xvii. 8-13), and did amend the older laws in Deuteronomy. The third Moses did not consider, how, within the prophetical period, the forms and conceptions changed; from and after Ezra, entirely new forms came into existence and in numerous cases superceded the old.

How did these new laws, forms, formulas, customs, ceremonies, observances come into existence? The Talmud answers: by the lawfully instituted body of the seventy elders, Great Synod and Sanhedrin; by the customs growing out of the popular practice (*Minhag*); and by the expounders of the law, priests, Levites, scribes, Tanaim, etc. How were old laws amended, customs, observances, etc., repealed? Answer by the same authority. Whatever was established by man can also be set aside by man. Thus historical Judaism knows of three different ways to make or undo laws, forms, formulas, customs, observances, etc , viz :

1. The lawfully established authority.
2. The customs growing out of the people.
3. The expounders of the law.

As long as these three authorities were in action, Judaism lawfully developed and progressed; it was a constant state of reform, reno-

vation and rejuvenation. When with Rabbi Asher ben Jechiel the two last authorities also were deposed, and the dead letters took the place of the living spirit, Judaism became a mummy, a stereotyped compilation of unchangeable and unimprovable observances. When, with and after Mendelssohn the popular will reasserted itself and produced again new forms and formulas, new observances and customs, and the expounders of the law asssisted the popular spirit in shaping and polishing the new productions, a new luster spread over the house of Israel. But all this remained uncertain, unstable and in an anarchical condition till the Conferences and Synods of the half century now closing, turned the new spirit into its legitimate channel, the very channel which is pointed out in Deuteronomy, by Ezra and the scribes, by the ancient Rabbis, down to the transmission of Rabbinical seats of learning and authority from Persia into Spain. History points distinctly to the legitimate body, the *Beth Din*, conference, synod, the representatives of the people and its expounders of the law collectively, and the Talmud again and again sanctions it as the legitimate organ of progressive Judaism, not as a legislative but as an advisory body; not to enact laws, but to expound them in harmony with the spirit and demands of the age; also, not to make new customs and observances, but to examine, form, shape and polish them, if the time has evolved them from the spirit of our people; not to sow discord and produce distrust in the religion of the fathers, but to unite, appease, elevate and command respect for the cause of Israel. This is also the legality and duty of this Central Conference of American Rabbis. It has the power and duty of the *Beth Din* under the laws of Moses and the Rabbis, and the laws of history and common sense well known to every one of you. If at any time it should be deemed necessary for the advance of Judaism to call a synod, the Conference has the right to convoke it, and co-operate with it in the name of Israel and its sacred cause.

THE WORK DONE AND TO BE DONE.

Hitherto this Conference has done its work slowly, deliberately and conscientiously. It resolved nothing hurriedly. It concluded no important subject in one year's Conference. Everything was discussed and published at least one year in advance, so that every conscientious member had sufficient time to study the subject. So you will have to discuss and resolve this time upon three questions:

1. The manual of public worship for all American congrega-

tions, which was twice, in two successive years, before the Conference.

2. The Cremation of the dead from a Jewish standpoint, on which Dr. Schlesinger, of Albany, read a scholarly paper last year, and on which there is here before you another very able paper by Dr. Felsenthal.

3. The question of initiation of proselytes without the Abrahamitic rite which has been before every Conference held since 1869, and upon which quite a number of opinions were handed last year to a special committee, whose report is now before you.

All this marks slow, deliberate and conscientious work, as is the duty of so eminent a body as this Central Conference, which excludes from its ranks all personal ambition, all selfish purposes and all dissonance of principle.

And now, colleagues and brethren, I call on your colleague, Rabbi Louis Grossman, D. D., of Detroit, to give expression to our sad feelings over the loss of our honorary member, Rabbi Liebman Adler, of Chicago, the truly learned divine and author, the truly pious, humane and faithful Pastor of the congregations in which he officiated, the eminent spouse, parent, friend and patriotic citizen, whose memory be forever blessed.

On motion, the President's Annual Message was submitted to a committee of three, the Rev. Drs. M. Mielziner, I. S. Moses, M. H. Harris, for considering the various suggestions enumerated and reporting plans for carrying out the same.

The following committees on resolutions were then appointed to formulate the sentiments of the Conference on the deceased honorary member, Dr. Liebman Adler, of Chicago, and the deceased member, the Rev. M. Solomon, of Appleton, Wis.

Adler Committee: Rabbi R. Grossman, Dr. I. S. Moses, Rabbi M. Hecht. Solomon Committee: Rabbis I. L. Rypins, A. Gutmacher and I. Levinthal.

The following order of business for the sessions of the Conference formulated by the Executive Committee was then presented, and on motion, was unanimously adopted:

The morning sessions of the Conference shall be opened at 10 o'clock; the afternoon sessions at 3 o'clock. Thursday morning:

Opening prayer, Rabbi Samuel Hirschberg; Treasurer's report; report of Committee on "Cremation From a Jewish Standpoint;" report of Committee on Initiatory Rites of Proselytes; report of Committee on "President's Annual Message." Thursday afternoon, paper by Dr. K. Kohler, subject, "Is Reform Judaism Destructive or Constructive?"

Friday morning: Opening prayer, Rabbi Oscar Cohen; discussion of proceedings of the previous reports; report of the Ritual Committee. Friday afternoon: Discussion on "Report of Ritual Committee;" new business.

Friday evening, at 8 o'clock, Conference service in Temple Beth-El, corner Fifth Avenue and Seventy-sixth Street. Conference sermon, the Rev. Dr. H. Berkowitz; prayer and benediction, Rabbi Charles Levi.

Sunday morning: Opening prayer, the Rev. M. R. Benjamin; unfinished business; resolutions; election of officers; announcement of standing committees for the ensuing year. Sunday night, at the Harlem Temple, Fifth Avenue and 125th Street, opening prayer, Rabbi A. H. Geismar; reading of Resolutions of Thanks; reading of Memorial Resolutions; address, "Judaism and the Public Schools of America," by Rabbi E. N. Calisch; "Memorial Oration" on our late honorary member, the Rev. Dr. Liebman Adler, of Chicago, by Dr. I. S. Moses; closing remarks by Vice-President Dr. K. Kohler and President I. M. Wise; prayer and benediction, Dr. M. H. Harris. A suggestion that the prayer-book prepared by the Committee on Ritual be used at the Conference service to be held on Friday evening at Temple Beth-El was not favorably received; thereupon the Conference adjourned.

THURSDAY—MORNING SESSION.

Temple Beth-El,
New York, July 7, 1892.

The session was opened with prayer by Rabbi Samuel Hirschberg. The minutes of the previous session were read and approved. The regular order of business was taken up. The Treasurer, Dr. I.

L. Leucht, sent a letter expressing his regret at his inability to be present, and submitted the following report, which was received, and on motion, given over to a committee of one, Rabbi Tobias Shanfarber, to be audited:

To the Executive Board of the Conference:

GENTLEMEN:—I have the honor of submitting to your consideration the following report of moneys received and expended during the years 1891–'92 by your Treasurer:

C. C. A. R., in account with I. L. Leucht, Treasurer.

Dr.—		
Paid Messrs. Bloch & Co	$185	85
For collections	2	10
" postage		72
" loan bearing 5% interest, due Jan. 4, 1893	400	00
July 1, cash on hand	109	68
	$698	35
Cr., 1891, received from—		
Oct. 8, Dr. Philipson	$135	00
Nov. 6, Dr. A. Hahn	318	35
Dues collected—		
Oscar F. Cohn	5	00
I. L. Leucht	5	00
M. Elkin	5	00
S. Wolfenstein	5	00
I. Greenfeld	5	00
Samuel Hirschberg	5	00
I. M. Wise	5	00
H. Berkowitz	5	00
H. J. Elkin	5	00
L. Freudenthal	5	00
Max Heller	5	00
Louis Grossman, 2 years	10	00
W. Willner	5	00
Leon Strauss	5	00
L. Schreiber, Alexandria	5	00
J. B. Gussman	5	00
H. Zirndorf	5	00
A. Guttmacher	5	00
S. Frey	5	00
Chas. A. Levy	5	00
E. L. Hess	5	00
J. H. M. Chumaceiro	5	00
M. Messing, Indianapolis	5	00
D. Philipson	5	00
M. Mielziner	5	00

Jos. Herz, Columbus	$ 5 00
A. Guttman	5 00
M. Spitz	5 00
J. Heinberg	5 00
D. Feuerlicht	5 00
A. J. Messing	5 00
A. Shapiro	5 00
Jos. Stolz	5 00
S. Hecht	5 00
W. S. Friedman	10 00
I. Weis	5 00
M. J. Gries	5 00
Birkenthal	5 00
N. Rosenau	5 00
E. Epstein	5 00
Leo Reich, 2 years	10 00
F. W. Jesselson	10 00
A. Hahn	5 00
Henry Cohen	10 00
	$698 35
July 1, balance cash in hands of Treasurer	109 68

Respectfully submitted,

I. L. LEUCHT,
Treasurer C. C. A. R.

NEW ORLEANS, July 1, 1892.

Vice-President Dr. K. Kohler then took the chair, while President Dr. I. M. Wise, Chairman of the Committee on "Initiatory Rites of Proselytes," presented the printed report and complete digest of papers, with syllabus and resolutions. (See full report at the end of the proceedings.)

A motion that the report submitted be received, which was amended to, received and discussed *seriatim*, unanimously prevailed. The Chairman then began reading the report *seriatim*, but before discussion was begun, a privileged motion, to temporarily postpone the consideration of the report and give way to the Committee on the President's Annual Message, who were now ready for report, was carried.

Dr. Moses then submitted the report, which, on motion, was received and taken up for *seriatim* reading and adoption.

Paragraph I. was accepted as read.

Paragraph II. was amended so as to strike out Committee of Five and insert, "The Executive Committee of the Conference." The report as a whole was then unanimously adopted in the following amended form:

GENTLEMEN:—Your Committee, to whom was referred the President's Annual Message, beg leave to submit the following report:

The committee recommends the indorsement of the standpoint set forth in the message, that the Conference, though not an authoritative religious body, still claims for itself the right to formulate such prineiples as represent the convictions of progressive congregations, and to suggest such constructive measures as will be helpful to those who share their views.

We further recommend, in reference to the Religions' Congress of the Columbian Exposition, that after the matter has been given mature deliberation at the present session of the Conference, the Executive Committee of this Central Conference be given full power to act in conjunction with the committee already appointed by the Columbian Commissioners.

DR. I. S. MOSES,
DR. M. MIELZINER,
DR. M. H. HARRIS,
Committee.

Letters of regret at their inability to attend, and expressing at the same time their best wishes and sincere prayers for the welfare of the Conference, were received from Rabbi H. Elkin, of San Antonio, and Dr. A Hahn, of Cleveland.

Congratulatory telegrams received from Dr. L. Mayer, of Pittsburg, and Dr. L. Grossman, of Detroit, were likewise read amid much applause.

Adjournment was then had until 3 o'clock.

AFTERNOON SESSION.

TEMPLE BETH-EL,
NEW YORK, July 7, 1892.

On reassembling, the Conference proceeded with the regular order of business outlined for the afternoon session, and Dr. K. Kohler read a paper on "Is Reform Judaism Destructive or Constructive?" (See Appendix A.)

After long and appreciative applause, it was, on motion of Dr. M. Schlesinger, of Albany, resolved by a rising vote that the thanks of the Conference were due to Dr. Kohler for his able lecture, and that the essay be printed in the forthcoming issue of the Year Book. President Dr. Wise voiced the sentiments of the Conference.

On motion of Dr. H. Berkowitz, of Kansas City, it was decided to appoint a stenographer, to be paid a stipulated sum, to take down *verbatim et literatim* the discussions, which were to be handed over to an Editorial Committee before going into the Year Book Dr. Silverman was appointed a committee to secure an official stenographer.

The next thing in order was the discussion of the Syllabus, Preamble and Resolution of the Committee on Milath Gerim. The first clause, concerning the three initiatory rites, was first submitted, and was accepted as a matter of fact. The second clause: "Neither of these initiatory rites for the proselyte is ordained or otherwise suggested in the Thorah, Prophets and Hagiographa," was debated.

Dr. Kohler in his speech took ground against that clause. He had, however, expressed his views, which were well known long ago: that the Abrahamatic covenant was a barrier against those Gentiles who were knocking at the gates of Judaism, to which as יראי שמים, truly religious persons, he thought they ought to be admitted. "I favor," said Dr. Kohler, "the admission of proselytes upon their acceptance of our tenets, because Judaism is not legalism. We do not want the Jewish religion to consist in outward forms, but in a spiritual religion, whose truth does not depend on form nor consonant with the spirit of a world-embracing faith."

In regard to the preamble, Dr. Kohler saw fully founded on the Pentateuch the three conditions of acceptance into national unity of Israel. "I find," said he, "Milah, Tebhilah and Zebach Tsedek."

In the name Ger Tsedek he finds the history of the latter. The word as found in "Thy stranger which is in thy gates," did not mean *proselyte*, but client, or to present an analogy from Arabian life, the hospes who sat under the clientele of him in whose tent he sought shelter. The *Ger* was thus a dependent. The step from this

signification to the meaning found in the Talmud is a great one, brought about by legislative and other causes.

Where did our rabbis find a word and term like *Gere Tsedek* (Proselytes of righteousness)? This the rabbi found in the Biblical expression, Shom Yisbechu Zibche Tsedek, "Sacrifices of Righteousness" (Zoth Habberakhah).

Where the Canaanite and Israelite met in the boundary of Asher, there was need of a faith and hospitality that would encourage the Jewish farmer to trade with Canaanite merchants. The Canaanite then put himself under the protecting wing of religious righteousness by offering or participating in a sacrifice to the God of the Hebrews.

When the Hebrew nation became a religious community, the Ger Zedek, by virtue of his being a member of the religion, had to bring a Zebach Tsedek.

The Pesach sacrifice was such a one, uniting those belonging to the same family; and one who would seek protection under the same roof would have to undergo Milah, for without Milah he could not partake thereof, according to the Biblical Law. The custom of Zibche Tsedek must have been a fixed matter, as Rabbi Jochanan ben Zakkai considers the question, and is in favor of substituting the payment of its money value.

The *Tebhilah* finds its origin in the initiation of the people into the covenant, as the *Dam B'rith*, blood of the covenant was sprinkled half toward the altar and half toward the people. The command, *Hithkaddoshu*, be ye cleansed, given before the approach of Israel unto Sinai, certainly included sprinkling.

As far back at least as John Hyrcanus we find the need emphasized of Tebhilah. In the Sibylline books also the command is found, "Wash yourself in streaming water and worship the one God." Thus we have seen how the Zebach Tsedek and the Tebhilah were itstituted. The Milah is ordained in the Bible. The question is: "Have we the right to use Talmudic statutes to knock down foundations on which legalism, Talmudism stands?" To this Dr. Kohler could not consent, though Holdheim and other Talmudists

had advocated reforms on that basis. For this reason he could not accept t he second clause.

Dr. Wintner, of Brooklyn (not a member of the Conference), said that if we wish to treat the subject from a Biblical standpoint, from the command, "And on the eighth day shall he be circumcised," we might infer that the Law applies only to children, but from the phrase, Mikneh Kaspo: those brought with his money, we must consider the *Ger* also subject to the rite. Moreover, the ministers can not vote on the question. The congregations would not be willing to give their name to the consecration of marriage of Gentiles minus the Abrahamic covenant. This merely jeopardizes the position of the minister. To say Milath Gerim is abrogated, we are not prepared.

After a motion to limit each debater's speech to five minutes had been tabled, Dr. Silverman considered that the phrase "not ordained" was acceptable, but "not suggested." However, he moved that the resolution be discussed and the debate on the preamble deferred. He also maintained that the subject be discussed not from the standpoint of Biblical or Talmudical law, but simply for the purpose of expression of modern sentiment on the subject. By a vote it was decided to discuss the resolution.

Rabbi Gries, of Chattanooga, offered an amendment, substituting "considers it lawful for any officiating rabbi, assisted by two officers of the congregation in the presence of ten adults, to accept in the sacred covenant" for "considers it lawful for any officiating rabbi assisted by two associates," etc.

In the discussion many views were expressed concerning the general spirit of the resolution. Rabbi Weiss, of Columbus, Ga., addressed the assembly, and opposed the abrogation of any of the Hilchoth Mosheh, the laws of Moses. "We may have modified them, but we can not abolish an essential law."

Dr. I. S. Moses, of Chicago, voted against the amendment from his own experience, and spoke of a lady converted, who received instruction from him, was examined by Dr. Felsenthal, and in an essay proved to their satisfaction and that of a third rabbi that she

understood the religion which she adopted. The presence of three learned men, he thought, would lend more dignity to the occasion than the presence of ten laymen.

Dr. Hecht, of Milwaukee, commented on the fact that the President and Vice-President differed on the matter of three initiatory rites, and on the difficulty of the people in understanding the meaning of "historical Judaism" when such men differed. The Pittsburg Conference had aroused a storm of opposition. From a point of common sense and the inmost thought of Judaism, he did not think the resolution objectionable, but the people were not prepared for it.

Dr. Geismar, of Brooklyn, opposed the amendment on the ground of the unfitness of members of a congregation to give an opinion. The Rabbi should be the ultimate tribunal. The original resolution should be carried; truth should prevail, though the heavens fall. The Conference was in the majority as to influence, though not as to numbers. "We are here," said he, "to put a wedge into those isms that are making inroads upon Judaism."

Dr. Mielziner, of Cincinnati, said that by abolishing the *Milah*, a concession was simply granted to those who from love of a Jewish girl wished to join the faith; these will not benefit the sacred cause. Judaism does not proselytize, nor say that conversion to our faith is requisite for salvation. If the Gentile wishes simply to show his sympathy with our faith, he may become a seat-holder; but to share in our mission, he must submit to ceremonial law.

The Rev. Clifton H. Levy, of Lancaster, Pa., said: "We are a proselytizing people. If we pray for the great day on which all nations are to worship the one God, it is our duty to open the gates. We should not bar the Gentiles by any rites, but if they have the heart of a Jew and the hand of a Jew, they should be accepted."

Dr. Eisenberg said: "We dare not do it. The time is not ripe for it. The people are not educated to indorse our sentiments. Nothing in these times (one hundred thousand Gentiles are not pressing forward to be converted) urges us to this step. For pru-

dential reasons, I am therefore opposed to the abolition of the rite."

Dr. Wise was the last speaker on the amendment. He contended that it was proper to discuss from historical and rabbinical standpoint whether the matter was decided by canon law.

Not only did he wish to demonstrate that our religion is liberal and in consonance with the spirit of the age so as to accept any honorable man or woman into the faith, but to prevent intermarriages, in which oft times there might be disputes and quarrels resulting from differences of religion. Under the new regulations, nine times out of ten the Gentile wishing to marry a Jewish girl would come to Judaism; thus religious quarrels would be avoided. He also agreed with Rav that "Ger misshum ahabath issha" ought to be treated leniently, as it was the greatest Mitzvah to get married. Hence love of a woman ought not to be an obstacle.

As the majority of our people do not understand the critical standpoint (presented by Dr. Kohler) they must know that even from the Talmudical standpoint, "Dabhar Shebeminyan," a law enacted by a quorum can be abrogated only by such authority. The initiatory rite in case of proselytes is not canon law, as it is not found in the Torah.

What is not canon law is Minhag [custom], and in the case of Minhagim not founded in the Torah, it is called "Minhag Stuth," and abolishes itself as soon as it is known as such. And the Talmud maintains אין חלכה כשושה

If the Minhag is due to any other cause than Biblical Law, no Halachah can be based on it. The passage of Rabbi in Talmud, where he speaks of three initiatory rites, contains no Halachah, or else the author of the Mishnah must have said so, which he did not.

The question was then called for, and the amendment offered by Rabbi Gries was lost. After several announcements had been made the meeting adjourned, and it was the sense of the Conference to continue discussion on the original resolution on Friday, at 10 A. M.

FRIDAY MORNING SESSION.

TEMPLE BETH EL,
NEW YORK, July 8, 1892.

On Friday morning the session was opened with prayer by the Rev. Oscar Cohen, of Mobile, Ala. The minutes were read, and, after slight corrections, ordered approved.

Dr. Calisch moved the vote on the proselyte question be polled, and suggested that those members so desiring might hand in their opinion in writing, all to be recorded in the Year Book.

Dr. Berkowitz made an eloquent appeal to the Assembly to act seriously and earnestly, as became men, and freely give their convictions. The motion was carried.

A motion that unanimous consent be given to Dr. Kohler to submit a substitute resolution on the initiatory rite of proselytes was declared out of order, the judgment of the Chair being that nothing but the previous question demanding a vote on the resolution as offered by the Committee on Milath Gerim was in order. An appeal from the decision of the President, based on the minutes of the previous session, was made by the Rev. Oscar Cohen. Pending the appeal, Dr. M. Mielziner took the chair. The motion being put, resulted in the appeal being sustained and the decision of the Chair overruled.

President Wise then announced that the regular order of business for the morning session takes precedence of all unfinished business. Discussion on the proselyte resolution was therefore postponed, and the Report of the Ritual Committee (see Index), the order of the session, was taken up. Dr. M. Mielziner, Chairman of the Ritual Committee, then substituted the report. After reading, a motion, by Rabbi Rypins was made that the report be received and the resolutions and recommendations be read *seriatim* and acted upon.

Dr. Kohler here stated officially that while heartily indorsing the endeavor to have a uniform prayer-book on the basis that comes nearest to and is a continuance of Dr. Einhorn's work, yet he must refrain from taking part in the action of the Conference on the adoption of the Manual Prayer Book for Public Worship.

The proceedings of the Conference were interrupted, while the President asked permission to read a letter from a non-member and layman. No objection being offered, the Secretary read the letter referred to, dated July 6, 1892, and signed Lazarus Silverman. On motion of Dr. Berkowitz, the letter was ordered filed. Chairman Dr. M. Mielziner then presented paragraph I. of the Ritual Report for adoption, as follows:

"The Ritual Committee begs leave to recommend that the Ritual as arranged in the printed pamphlet hereby submitted be adopted by the Central Conference of American Rabbis as the first part of the Union Prayer Book for Jewish Congregations of the country."

After long and serious discussion, participated in by Drs. Mielziner, Moses, Berkowitz, Geismar and Schlesinger, Rabbi Lewinthal offered the following substitute for the first recommendation of the Ritual Report:

"The Committee on Ritual having completed their labors and presented to us not only a plan and a suggestion, but a complete book of service for Sabbath and holidays; be it therefore

Resolved, First, that the thanks of the Conference are due to the Ritual Committee for their arduous task as far as presented in this book, and the confidence of the Conference in their ability be herewith expressed.

Second, that the committee be herewith empowered to complete the entire work by publishing the second part, comprising the Rosh Hashonah and Yom Kippur services.

Third, that it is the sense of this Conference that the work presented by this committee meets the requirements of modern Jewish congregations, both as to the standard Hebrew prayers retained, the English version and original compositions added thereto.

Resolved, Fourth, That this Conference accepts this book as the standard Union Prayer Book of American Israel and recommmends the same to Jewish congregations for public and private worship.

An amendment to the substitute of Rabbi Lewinthal, offered by the Rev. Oscar Cohen, providing for the revision of the Union Prayer Book, was subsequently withdrawn.

The Rev. Dr. Schlesinger moved, and it was seconded by Rabbi Gries, to lay the whole matter of the Ritual Report on the table until the next Conference, and that every member of the Central Rabbinical Conference shall be privileged to send suggestions to the revising

committee. The motion failed of adoption. In the discussion which now followed on the adoption of the substitute, Rabbi Gries expressed himself as heartily in favor of adopting the uniform Prayer Book, provided it be properly revised. Rabbi Hecht, in concluding his remarks on the acceptance of the prayer-book, said: "I think I can say it justifiably, that the prayer-book in its present arrangement, will meet the demands of the present time and present congregations."

At this stage of the proceedings a motion to adjourn was entertained, but was lost.

The Rev. Dr. Silverman then, on behalf of the Committee of Arrangements, announced that a banquet would be tendered to the members of the Conference at Jaeger's Hall, corner Fifty-ninth Street and Madison Avenue, at 7 o'clock, Saturday night, the banquet being given by the New York and Brooklyn Ministers represented in the Conference.

Resuming discussion on the Ritual Report, Rabbi Eisenberg pledged himself to the introduction of the book, and Dr. Berkowitz made an eloquent appeal for the substitute resolution.

A vote on the resolution offered by Rabbi Lewinthal was then taken, which resulted in its adoption. Ayes 23; nays 3. Rabbis Geismar, Schlesinger and Gries requested to be recorded as voting in the negative.

The Secretary then announced the order of business for the afternoon session to be all new business and all unfinished business for which committees have been appointed.

On motion of Dr. Mielziner, the Conference then adjourned.

AFTERNOON SESSION.

The Conference re-convened at 3 P. M.

The first order of business was the continuation of the action of the Conference on the report of the Ritual Committee, Paragraph II., was then read:

"That a committee of five be appointed to lay before this convention suggestions in regard to the way of publishing the Union Prayer Book."

On motion of Dr. Hecht, the recommendation was adopted as read. Dr. Hecht suggested that Dr. I. S. Moses be appointed chairman of the committee. Dr. Harris added that the committee be selected from the Ritual Committee, who are ten in number: Rabbis Lewinthal, Gries, Shanfarber, Feuerlicht and Moses, chairman, were appointed as the committee to report within the present session of the Conference.

The Rev. Dr. Mielziner then read the next recommendation. Paragraph III.:

"That a Ritual Committee be appointed to arrange the second part of the Union Prayer Book containing services for Rosh Hashona and Yom Kippur, according to the same principle as the first part and to submit this work to the next convention of the Central Conference.

This was amended by the Rev. Cohen, that the committee distribute copies of their drafts to all members for criticism, which suggestions shall be considered before the work be finally presented. The amendment was lost. Before final action on the recommendation was taken, the Conference, through President Dr. Wise, announced that it is understood the Ritual Committee shall be continued and its work be submitted to the next Conference. Paragraph III., was then adopted as read.

The Rev. Dr. Mielziner read the next recommendation. Paragraph IV.:

"That the hymn-book published by the Rev. Dr. Wise be adopted as the Union Hymn Book and that in the new revised edition of the same a choice selection of other hymns be added,"

The Rev. Rypins moved the adoption of the recommendation.

Rabbi Gutman offered the following substitute, which being seconded by the Rev. Cohen, was subsequently incorporated in a substitute amendment offered by Dr. K. Kohler:

WHEREAS, The Jewish Synagogue in America is sadly in need of a hymn-book that shall at once be Jewish in word and music; be it therefore

Resolved, That the hymn-book by the Rev. Dr. I. M. Wise be adopted as the hymn-book of American Jewish Reform Congregations and a committee of five be appointed to revise and add such selections of other hymns to it as they may see fit.

Resolved, That the Cantors' Association of America be requested to furnish appropriate music for the same.

The following discussion on Paragraph IV. and its substitute amendment then took place.

Rabbi Gutman :

You will agree with me that the Jewish Synagogue is indeed sadly in need of Jewish music. We can indeed say we sing, but our music is not the outgrowth of Jewish production. We sing Methodist music and Presbyterian and Catholic. I may say that my congregation may not be a praying congregation, but my congregation is a singing congregation. And I see the time come when hymnology, when singing in the Jewish Synagogue, will bring life and new spirit into our congregations. There are about 330,000 members of the Christian Endeavor Society at present here in New York City, and I see by this mornings' paper that they opened their services with a song service. And I have often attended these Methodist and other denominational services, and it is the song in the Christian church which is the power and is really the secret force that gives them this power, and I think we ought to do likewise in the Jewish church. We ought to have congregational singing. In Jewish Reform Congregations they do not pray, and they ought to sing. And this Cantors' Association could do a great deal for us. For instance, I have a hymn-book of Dr. Landsberg. I have nothing to say against the text, but the music is entirely taken from Methodist and other Christian hymn-books. Mr. Kartschmaroff told me that if we call upon the Cantors' Association the members of that Association are perfectly capable and willing to furnish us Jewish music. And, therefore, I would ask the members here present to vote favorably upon this resolution.

The Rev. Dr. Kohler was then called to the chair, while Dr. Wise made the following remarks :

That which the preceding speaker said is a truth which ought not be overlooked. We have built up an American Synagogue, an American Congregational Organization, which is unique in itself, in corespondence with the American spirit, with the American liberty and with the American present and future. I believe that as we now worship we ought be as American as possible, namely, as American Israelites. And that which has grown out of the American Jewish spirit, that ought to be preserved. While we can not preserve all the orignal prayers that have been written, if I had been on the Committee, I certainly would have voted that all those prayers in German or in Hebrew or in English, which were produced originally by American minds shall be preserved, and ought to be preserved in the Union Prayer Book. Then it would have been a Union Prayer Book and an American. But this appears hardly possible to-day because the prayers which have been produced are too numerous. But not so in hymnology. That hymnology is the soul of all live worship and always was, we have the best evidence in Scripture itself. The Scriptures have been preserved through various centuries, those preserved contain very little prayer, but contain a very large collection of psalms. Hence we say that it is not the prayer coming from the spirit of Judaism which is the element, but the indestructible element is the psalmody of the people. We can find up to the middle ages when the Hebrew mind became bewildered by persecution, then they commenced to pray, and we have very few prayers at that. But we have very fine hymns from the Spanish poets, and, according to Zunz, we have a great many fine Hebrew poems and hymns from the middle ages, from the Ashkenas and Polish Jews. And of late in this last century we had again one of the sweet minstrels in Israel—Nigara—whose songs are some of them classical. He is not so much known in the West as in the East. It is evident that song is the main thing and therefore I would be in favor, even if it cost a few dollars more, to print it, to have all that the Hebrew mind has prduced in the way of song united in one volume, with the understanding that whenever, next year, or two years, or in three years, or in ten years, new productions

are made in that line, that every Conference, year after year, will add to them. Thus it will be a hymn-book for the American Israelite, and it will not only be a hymn-book for the American Israelite, but will also go into a great many American churches, as I have the evidence in my hand here that a great many Jewish hymns have made their way into the various churches. So much for the text. Now in regard to the music our Brother Gutman has said well, the music is the language of the heart in notes, as poetry is the language of the heart in words. And language is the expression of ideal sentiment and feeling, and in the Jewish Synagogue we ought by all means to have the Jewish expression of feeling and sentiment and thought. Secondly, we ought to have Jewish music. The music has grown out of the Jewish sentiment, although they have borrowed a great deal, they have borrowed as far as the song of Die Rauber in Rinaldo and Rinaldina. But there ought to be original Jewish music and Jewish hymns. And as the brother has said, that the Cantors' Association is capable and willing and desirous of undertaking that task, we certainly ought to give them an opportunity. But I would insist that all American productions shall be compiled, even if the hymn-book cost a few dollars more, with the understanding that in future when anything new is produced, and it is important that there should be new productions, they should be added to this book, or they should replace other productions not any longer fit for the time. I therefore support the amendment of Brother Gutman with the addition of one clause, which I believe one of the members will suggest, should be added.

President Wise then took the chair and the Rev. Dr. Kohler was granted the privilege of the floor, speaking as follows:

I want to express my sincere thanks to our President for having here to-day, for the first time, touched my soul, my heart, in regard to praying and devotion which was the subject to-day. In this former discussion of yours I purposely refrain from taking part. Here I shall and I also wish to refer to Dr. Talmage. I heard him once state, I believe, to one of our members who is not here, that he owed the success of his attendance of his church to the singing.

And I say we might learn indeed from our fellow-citizens and our brethren in other churches that we should cultivate that more, because here we can all join. When it comes to Hebrew, when it comes to a question of Reform or Conservatism or any part of the old or the new prayer-book, there we are always born critics, more or less occupying ourselves with roots or the far-fetched meaning of the words we meet or the interpretation or translation of the words we recite. But with the prayer the soul is seldom touched unless the song unites. Music is the language of all languages, is the language of humanity, and we have as yet been in the formation, in the composition, in the making up of our prayer-books too intellectual and too little emotional We need not become Methodists or Moody and Sankey men, but we should touch the soul, make people what they seldom do in our synagogues, cry. And the music, the song, can wrest fears even from those who come without any desire to pray, without any devotion. I heartily indorse the idea of giving greater care and attention to a hymn-book, and such a hymn-book as is offered to us whenever we enter any church where over the text the notes are given to make the people sing. Whether our Brother President is exactly right when he says the American productions of music should stand uppermost is still questionable and I must leave this to our friend the Rev. Mr. Sparger. I simply wanted to say that the Cantors' Association is probably a thing to be. It is hardly yet a vital, certainly not a comprehensive institution. The proof of it is that one who is certainly the best or those who are the best composers of Jewish songs in America, that is Kaiser, and I believe your Cantor in Cincinnati, Goldstein, and Welsch.

Welsch does not live here any more. And others—the Vice-President was on the point, I may say, of leaving because he felt there was not the right sphere as yet for common productive work, for this reason I leave the word Association out or leave it to them to form a body that would comprise the musical composers that would give us the right songs. I want to call your attention to one thing more before I close. I have felt the need of music and song and have

even felt like changing and have been prompted to change my own Friday evening service in view of the fact often overlooked by Reform prayer-book composers or writers that the text must be written with a view to make it singable, so to say, to make it resonant, rhythmical and apt to be sung. The Psalms were written by the Levites, who knew how to sing, and the English version has also always kept in view that rhythmical part which in a great many prayer-books has been overlooked. I want to make one remark regarding the origin of our music before I close, and I want simply to suggest to our friend who will follow me one thing on which he can speak better than I. Our Jewish songs have been chiefly produced under the influence of suffering. The only melodies we have we owe to the Crusades, as Naumberg and others have shown. And the question is can we maintain this prayer-book to be written with a view to preserve the old songs? The Kol-Nidre has been retained in the form Dr. Stein gave it. He re-translated not the Kol-Nidre but the Kol-Nidre song. He thus preserved for us that sweet, touching melody of Kol-Nidre. And a great many other of our melodies ought to be kept. The historical and national part of our music, not only American, but Jewish, Jewish-German music or German-Jewish music ought to be kept. And those that are to take part in this composition of music for you or for us all should be told and guided by that spirit of reviving and preserving national genuine Jewish music.

The Rev. Dr. Harris then spoke as follows: I feel with the previous speakers that the hymn-book is perhaps more important for our work than the prayer-book, partly because the prayer-book is written and we have only to revise the old prayer-book, and the hymn-book is not. I believe I voice the sentiment of every minister, whether progressive or not, that the need of congregational singing is the need of the hour. We have had a great many hymns and we have had some very fine music. We have not so far been able to get those simple airs that could be taken up by the congregation, and we have been even compelled sometimes to mistrust our cantors, anxious to give us rather elaborate music, music that a choir is able to sing, but music that can not be taken up by the people. Dr.

Kohler has referred to the great strength of Christianity, their hymns. And here is the importance of uniformity. Whether you go to the country, in the farm house where you are stopping among a large number of Christians, or whether you are on board a ship or over in England, you will find they have the same hymns and the same music. And it does not matter what strangers they are; they may have never met before. Some may be Congregationalists, and some Methodists, and some Episcopalians, but they have the same airs, and without any preparation all can join. Therefore, the most important point, the vital point for a hymn-book, is first, that it must be uniform. It must be adopted by all or by none. We must in the first place find out what hymns there are (I am talking of the music of the old service) that could still be appropriated for our use to-day—some of the old Hebrew melodies that we all know, the old Yigdal and the old Adonolom. And while we are all ministers and can all write prayers, we can not write hymns. Hymns are poems, and only poets can write them. If we prepare a hymn-book at all it must be classical. Rather compile real poems, even if they be not written by Jews, provided the spirit is Jewish, if they be written by the standard poets of England and America. Rather take the best poetic thought suitable for hymnology than rhymy verse. Let us be modest enough to know that we are not poets—that we can not write hymns. And in the preparation of the music let us consider not the choir. We have been considering the choir too long. The choir has driven the congregation out as far as the worship of praise is concerned. It is time that the congregation be given a hearing before God; it is time that we give them a service of praise so simple that after it has been sung once or twice they can all join in it—simple melodies, simple airs. And I hope that the committee appointed on this question give due consideration to these two facts: the simplicity of the music and the poetry of the hymns. In my own congregation, to speak of a personal experience, wishing to introduce congregational singing, which we all wish to introduce, I was compelled even to go to the Christian hymn-books to select therefrom some of the old hymns that you all know and that have

been introduced in some cases into the Jewish congregations. Therefore, let me beg of you to go slow in this work and not produce something of which we may be afterward ashamed. Let it be classic. Let it be simple, something that will last, and let us use all of the old that we possibly can.

By special motion of Dr. Kohler the privilege of the floor was given the Rev. Mr. Sparger, Vice-President of the Cantors' Association of America:

The Rev. Sparger was then called upon by special request to address the Conference on Jewish Hymnology. The address was received amid much applause and evident appreciation.

The Rev. Dr. Kohler then presented the following substitute amendment:

Resolved, That a committee should be selected, consisting of the Committee on Prayer Book, besides a special committee of five out of this committee and five other members of this body, to prepare a hymn-book, and as this Union Prayer Book has been prepared on the basis of all the best prayer-books that are existing or within reach, to compile it on the basis of all the hymn-books existing in the English language, to give us the best that has been written in Hebrew poetry and to add to their committee such men as have also musical knowledge and skill enough to prepare the notes to such and give us a hymn-book with the musical notes attached.

After further debate the previous question was called for. Action on Dr. Kohler's substitute amendment resulted in its adoption. A reconsideration was then moved, but the motion was lost. The entire matters of the compilation of a Union Hymn Book then resulted in the adoption of the following resolution:

Resolved, That five members of the original Ritual Committee cooperate with five others, members of this Conference, in the compilation of hymns from all hymn-books existing in the English language, with a special view to the collection of the best written in Hebrew poetry, and, together with such Cantors of America as they shall designate, adapt the music for the hymn-book.

The Rev. Dr. Mielziner then continued to read the next resolution, Paragraph V., of the Ritual Report, explaining that this resolution was passed by the Ritual Committee in New Orleans:

Resolved, That the approval and thanks of the Conference are due to the Rev. Dr. I. S. Moses for the work he has so faithfully and unselfishly done; and

Resolved, That the Rev. I. M. Moses be reimbursed from the funds of the Conference for all expenses he has incurred in the work.

A division of the resolution was called for by Dr. Schlesinger, who then moved the adoption of the first part of the resolution. The first part of the resolution was then adopted.

Owing to the absence of Dr. I. S. Moses the Conference could take no action on the second part of the resolution, which involved the question of the expenses incurred by him in the preparation of the Ritual Committee's Prayer Book, laid before the Conference, and action on this matter, as well as the adoption of the Ritual Report as a whole, was deferred until the Sunday morning session.

Rabbi Hecht then presented the following resolution as the sense of the Conference, which, seconded by Rabbi Gries, was adopted:

Resolved, That it is the sense of the Conference that the Prayer Book reported by our Ritual Committee and adopted by the vote of this Conference is subject to such revision as may be suggested by the members of this Conference individually within the next sixty days, and shall receive the approval of the Ritual Committee.

The committee appointed on publication of the Prayer Book was instructed to report to the Conference at the Sunday morning session. Dr. Schlessinger moved that, owing to the vast amount of business to be transacted at the Sunday morning session, the Conference shall meet at 9 o'clock. Motion was carried.

The Rev. Dr. K. Kohler, in the absence of the Chairman of the Committee on Columbian Religions' Congress, Dr. I. S. Moses, moved that the following report of the committee be received, but that discussion thereon be postponed until the Sunday session:

Your committee would recommend that the Conference should present for discussion at the Columbian Exposition well prepared papers for the following questions or departments of Jewish life and thought:

I. Historical. A concise digest of the history of the Jewish people as such as far as their share in the culture of the various nations

and ages is concerned, to be subdivided into Biblical, medieval and modern. (*b*) The history of Jewish beliefs and customs in the various lands and times. (*d*) The history of the domestic and inner social life of the Jews in various periods. (*e*) A history of the education of the Jewish people public and private.

II. Ethical. Biblical ethics from a historical standpoint. (*b*) Talmudical ethics based upon and to begin with the Helenistic literature. (*c*) Ethics of the medieval rabbis down to our own time.

III. Polemics and Apologetics—That is the relation of the Jews to Heathenism, Christianity and Islamism.

IV. Statistical—An estimate of the present statistics. (*b*) European statistics. (*c*) American-Jewish statistics. (*d*) Eastern Jewish statistics.

V. Archæological. Religious and national, both as to results and desiderata.

Those various topics to be assigned to the various scholars who have made these branches their special study.

Resolved, That the Rabbinical Conference should solicit the participation of scholars in Europe, as well as in this country, to participate in person, or, if that is impossible, by writing. Furthermore, recommend that the Conference should tender a special formal invitation to representative men and women to take part and represent the Jewish body.

On motion, the report was received and action thereon deferred.

The Conference then adjourned, to reconvene Sunday, July 10, 1892, at 9 A. M.

FRIDAY EVENING SERVICES.

On Friday evening the members assembled for Sabbath services in Temple Beth-El.

After chanting of the regular prayers by Cantor Helfer, the Rev. Dr. Kohler introduced the Rev. Dr. Henry Berkowitz, who delivered the Conference sermon. (See Appendix B.) The closing prayer and benediction were offered by Rabbi Charles Levi. The services were impressive and inspiring.

SUNDAY—MORNING SESSION.

Temple Beth-El,
New York, July 10, 1892.

The Conference assembled at 9 : 30 A. M.

President Wise called upon the Rev. R. Benjamin to open the proceedings with prayer.

Rabbi Shanfarber then moved that the regular order of business be suspended in order to receive an amendment of Dr. Kohler to open discussion on the report of the Committee on "Milath Gerim." This was amended by Rabbi Gries to the effect that the question on "Initiatory Rites of Proselytes" be re-opened by taking from the table the report thereon. The motion as amended was carried.

Dr. Kohler then presented the following amendment: (*a*) To insert in the resolution proposed by the committee on the "Admission of Proselytes," after the words "two associates," the words, "in the name and with the consent of his congregation," (*b*) to strike out the word, "Canon," and substitute it by the words "Religious Usages." The amendment was seconded, whereupon Dr. Kohler advanced the following arguments for the adoption of the resolution in general as amended.

Argument I. for Amendment (*a*):

"There can be no doubt as to the frequency of cases in which the persons desirous for admission into Judaism, being prompted by the highest and noblest of motives, ought to be aided and encouraged in their intention and not refused or held back by the reason of the inadvisability of their undergoing an act which involves danger fot their life and health, and can in no way add to the solemn sacredness of the truths which they are eager to espouse.

"And in cases where love for a Jewess induces the applicant to join the Jewish faith, the consummation of their marriage under Jewish forms is often eagerly to be wished for in the interest of domestic peace and harmony, and for the sake of the maintenance of a high standard of the purity of Jewish family life, and the earnest desire on the part of both to build up a pure and sacred

Jewish home upon Jewish principles of faith, and ought to receive recognition.

"While I, in view of the passages of Kerithoth 9*a* and the Mechilta Jithro, can not concur with the committee that the three initiatory rites for the proselyte: The Sacrifice, the Ritual Bath, and Abrahamitic rite are not even suggested in the Bible and are of later origin—believing, as I do, that they are based upon ancient pre-exilic national Hebrew custom and evidently anterior to John Hyrcanus' time—I find nowhere a direct Biblical ordinance.

"Though it is an occurrence previous to the Revelation on Sinai, the mode of admission of Jithro as the first God-worshiper ירא אלהים or גר into the Jewish community as described in the Book of Law is sufficient proof to me that the law of Moses lays all possible stress on the acceptance of the doctrines of the Jewish faith, and none whatsoever on the Abrahamitic rite, which is in no word alluded to in that connection. Likewise does the ritual bath, instituted with reference to the purity necessitated by the sacrifice and afterward, according to Rabbinical explanation, for the sake of removing the impurity and idolatry, and having the heathen come forth born anew out of the water, reflect somewhat unfavorably upon the Christian faith, which we do not regard as a polytheistic faith in the old sense, seeing in them according to the Pittsburg Platform גירי תושב, proselytes of the gates.

"It is furthermore our duty to pronounce to the world that Judaism as we understand, preach and practice it, is no tribal faith, but eager to open its gates wide to admit such as come with the earnest desire to walk in the light of the pure Jewish monotheistic truth, and aid in its dessemination. And if in consequence of the great rivalry of the Church propaganda with its dangerous semi-pagan tendencies, Talmudical Judaism endeavored to obstruct and antagonize Proselytism, we, living in an age of religious freedom, of mutual recognition and intellectual persuasion, in times and countries where Judaism enjoys all the privileges of a recognized people, have no reason any longer to be guided and constrained by Talmudical rules that were even at the time they were expressed con-

tradicted; but ought to place ourselves upon the high standpoint of pre-Talmudical prophetical Judaism, which invites all heathens to embrace the faith of Abraham and worship the Lord, the One God, in truth and in purity.

Argument II. for Amendment (*a*):

Dr. Felsenthal, in his opinion given us in the Year Book of the Conference, 1891–92, would dissuade us from giving the power to admit the Gentiles into the fold of Judaism into the hands of the Rabbi. The Rabbi is but the agent and minister of his Jewish community, not the priest or legislator. Only in the quality as representative of the congregation can he act, and receive the Gentile into Judaism. Dr. Felsenthal denies that the Rabbi, as such, has a right to admit any one into the Jewish community, unless he act in the name of the Jewish community. For this reason he can act only as the מקבל, and must have a recognized Jewish congregation into which he receives the applicant. Therefore, and for the sake of greater caution against abuse, the Rabbi should act only with the consent of the congregation whose minister he is.

Argument for Amendment (*b*):

As to the expression, canon, it is too vague, and it does certainly not cover the idea of חקות ומצוות statutes, precepts and ordinances with which the proselyte should be familiar before being admitted into the fold of Judaism.

There being no objection to the amendment offered by Dr. Kohler, the committee, through its chairman, Dr I. M. Wise, accepted it.

A motion to take up the regular order of business for the session was then put and adopted.

The Secretary then read the minutes of Friday, July 8th, which were approved and adopted.

On motion, a committee was appointed to draft resolutions of thanks to all those to whom the thanks of the Conference were to be expressed.

Dr. Schlesinger, Rabbis Clifton Levy and I. Joseph were authorized as the committee.

It was then moved that the Chair appoint a committee of five to nominate officers for the ensuing year 1892–93. Motion was seconded and carried. Rabbis R. Benjamin, Charles Levi, A. Geismar, M. Gries and C. Rubenstein were appointed the Nominating Committee.

The chair then announced the following Editorial Committee to edit the official stenographer's report of the proceedings of the Conference: Drs. K. Kohler, M. H. Harris, J. Silverman, Rabbis R. Grossman and R. Benjamin.

Final action on the resolution relating to the "Initiatory Rites of Proselytes," together with its amendment, was now called for.

The Secretary then read the resolution as amended:

Resolved, That the Central Conference of American Rabbis, assembled this day in this city of New York, considers it lawful and proper for any officiating Rabbi, assisted by no less than two associates, and in the name and with the consent of his congregation, to accept into the sacred covenant of Israel and declare fully affiliated to the congregation לכל דבר שבקדושה any honorable and intelligent person, who desires such affiliation, without any initiatory rite, ceremony or observance whatever; provided, such person be sufficiently acquainted with the faith, doctrine and religious usages of Israel; that nothing derogatory to such person's moral and mental character is suspected; that it is his or her free will and choice to embrace the cause of Judaism, and that he or she declare verbally and in a document signed and sealed before such officiating Rabbi and his associates his or her intention and firm resolve:

1. To worship the One, Sole and Eternal God, and none besides Him.
2. To be conscientiously governed in his or her doings and omissions in life by God's laws ordained for the child and image of the Maker and Father of all, the sanctified son or daughter of the divine covenant.
3. To adhere in life and death, actively and faithfully, to the sacred cause and mission of Israel, as marked out in Holy Writ.

Be it furthermore

Resolved, That a committee of three be appointed to report to this Conference formulas of the two documents, viz., one to be signed by the proselyte and witnesses, to remain in the hands of the officiating Rabbi, and another to be signed by the officiating Rabbi and his associates, to be delivered to the proselyte.

All of which is respectfully submitted to this honorable body by your committee.

ISAAC M. WISE, *Chairman*.

In response to the question: What is meant by "assisted by no less than two associates and in the name and with the consent of his congregation"? the Chairman made the following explanation:

"The acceptance of the proselyte is dependent upon the Rabbi. The execution of the ceremonial is with two associates. The Rabbi declares whether he will be accepted or not, and the two associates are only the assistants of the Rabbi in the performance of the ceremonial part of the conversion. And it is on account of the Din which wants three, and we do not want to depart from the ancient usage."

In response to the question, what particular ceremony, if any, shall attend the reception of a proselyte, the Chairman of the committee stated that it depended altogether upon the Rabbi as to what shall be the nature of the ceremony, and as to any ceremony at all. Yet must the two associates be present when the proselyte is received.

The words, "two associates," were interpreted as not necessarily meaning two clerical associates, as it was not always possible to get two rabbinical associates; and, besides, according to the rabbinical law, three rabbis were not needed.

The previous question was then moved and ordered by the Conference. Before voting on the resolution the Chairman announced it as the sense of the Conference that the vote of each member be recorded and made part of the proceedings; also, that the privilege of explaining his vote in writing shall be accorded each member, and that all such explanations shall appear in the Secretary's minutes and be printed in the Year Book of the Conference.

The resolution was now voted upon and action thereon resulted in its adoption by 25 ayes and 5 nays. The following are the recorded votes as handed into the Secretary:

Nays—Dr. M. Mielziner, Dr. M. H. Harris, Rabbi L. Weiss, the Rev. I. Stemple, the Rev. I. Joseph.

Yeas—Rabbis I. M. Wise, K. Kohler, Jos. Silverman, M. Schlesinger, I. S. Moses, Henry Berkowitz, A. Guttman, I. Saenger, I. Lewenthal, Raphael Benjamin, A. Radin, T. Schanfarber, A. Gutt-

macher, Wm. Rosenau, M. J. Gries, I. L. Rypins, R. Grossman, E. N. Calisch, Charles Levi, Clifton H. Levy, A. H. Geismar, M. Eisenberg, Sam Hirschberg, L. M. Franklin, Chas. A. Rubenstein.

The following are the recorded opinions of those voting nay:

I vote nay, because I do not think the Jewish community is yet ripe for this step. Furthermore, I fear that the admission of proselytes without melah is the entering wedge for the abolition of this rite altogether. MAURICE H. HARRIS.

I am voting *against the resolution* of receiving proselytes without circumcision; First, for the sake of the *purity of our race;* second, because I coincide with the Talmud by saying סיסים גרים לישראל proselytes are generally a bothersome burden to Israel; their conversion is mostly superficial and *insincere*, מאהבת נשים and the resolution would open door and gates for *wholesale* intermarriage between Jew and Gentile. REV. ISAAC STEMPLE.

To admit a proselyte without the Abrahamitic rite is not advancing the cause of Judaism, but is derogatory to our sacred religion, hence I vote against it. L. WEISS.

I wish to have my vote registered against the resolution for this reason: I believe that the abolition of this rite for proselytes will easily—I do not say necessarily—lead to the abolition of circumcision altogether, which, as Spinoza says, "is the secret of the persistence of the Jews as a people." It has been intimated that we are prepared to meet such a result. I, for one, am not so prepared. Eminent authorities have maintained that we are not a race or a people, that Judaism has an existence and significance apart from the Jews. But I maintain that any ideal which has been brought into existence and effected anything has been of value only because it incarnated itself into an institution. There is no standard without a standard-bearer, and Judaism is impossible without the Jews.

I. JOSEPH.

The Chair now appointed the following Committee on Documents for Proselytes: Rabbis A. Guttman, A. Radin, I. L. Rypins, T. Schanfarber and H. Berkowitz.

On the subject of statistics of Jewish proselytes, Dr. Silverman presented a motion that the Executive Committee make provision to receive reports from every Rabbi who receives converts during

the year, which reports shall be tabulated and presented at each annual meeting of the Conference. The motion was seconded and carried.

The Rev. Dr. M. Mielziner, Rabbis Taubenhaus and Feuerlicht were appointed the committee on reception of proselytes.

Dr. I. S. Moses then called for action on the report of the Committee of the Columbian Congress of Religions, which report was received at Friday's session. Before taking action on the original report presented by the committee, Drs. Moses, Kohler and Silverman, the following amendment was offered by Dr. Kohler, relative to the anti-Semitic movements of Europe.

Whereas, The anti-Semitic agitation, undeterred by the verdict of the enlightened, still continues its own cruel work and forces its way through every land,

Resolved, That besides the discussion of topics recommended, the Rabbinical Conference should solicit the co-operation of all American Jews in sympathy with the cause, both private men, societies and congregations to render the participation of the Jews in the Religious Congress of the Columbian World's Exposition, a matter of great international importance, in having the great aim and objects of Judaism clearly and emphatically stated before the entire world and all the slanderous charges made against it through the successive ages by its declared foes substantially refuted.

Resolved, That three men of renowned world-wide scholarship and impartiality of the Christian denomination, such as Profs. Strack, Noeldecke and Cheyne, and three Jewish scholars of note be requested and authorized at the expense of the American Jews to write and publish an exhaustive treatise on the anti-Semitic charges, in particular in regard to the blood accusations which fill so dark a chapter in Jewish and Christian history, stating the causes and facts and giving the result of their examination in decisive and clear terms.

Resolved. That these men should be invited to come and publicly review these charges before the enlightened representatives of the great religions of the world in order to elicit the approval and assent of the world and silence slander in the name of humanity forever, at least within the pale of civilization.

After considerable discussion on the original report, and the Kohler amendment, a vote on the previous question was ordered and the following motion, made by Dr. Silverman and seconded by Rabbi Gutman, was unanimously adopted.

The motion is, that all matters concerning the World's Fair, both the resolution of Dr. Kohler, and the report of the Columbian Com-

mittee be referred to the Executive Committee, that all recommendations that the Executive Committee will have to make and all the reports of their transactions regarding the World's Fair, be brought to the notice of a special session of the Conference to be held in Washington next December, in order to act in conjunction with the Council of the Union of American Hebrew Congregations.

Rabbi Clifton Levy offered a resolution, signed by himself and Dr. Berkowitz, in respect to the status of woman in Jewish congregations.

On motion of Rabbi Eisenberg, the resolution was adopted.

The following is the resolution as adopted.

WHEREAS, We have progressed beyond the idea of the secondary position of women in Jewish congregations, we recognize the importance of their hearty co-operation and active participation in congregational affairs; therefore be it

Resolved, That the Executive Committee have prepared for the next Annual Conference a paper tracing the development of the recognition of women in Jewish congregations, and expounding a conclusion that women be eligible to full membership, with all privileges of voting and holding office in our congregations.

The following report of the Committee on Cremation was now read:

GENTLEMEN:—Your committee, to whom was referred Dr. Schlesinger's paper on Cremation from a Jewish Standpoint, beg leave to report that one of their number, Dr. B. Felsenthal, of Chicago, has written an exhaustive treatise, covering the entire field, on "Cremation from a Jewish Standpoint," which your committee presents as their report and which is now in the hands of the members of the Conference. (For Report of Committee on Cremation see page after the proceedings.)

Your committee fully concurs in the conclusion arrived at by so eminent a scholar as Dr. Felsenthal. We further report that we indorse the resolution with which the paper concludes.

DR. I. S. MOSES.
DR. B. FELSENTHAL.
RABBI HECHT.
RABBI STOLZ.

It was moved that the report be received and laid on the table until the next Conference. The motion was subsequently withdrawn, and the report taken up for action and discussion. Before action

was called, President Wise made the following explanation to the members:

The adoption of this report involves a question as between Dr. Schlesinger and Dr. Felsenthal, and Dr. Schlesinger has not had time enough to review the paper of Dr. Felsenthal, as he stated here, and it would be unjust, in my opinion, to say that we indorse the views of Dr. Felsenthal contrary to Dr. Schlesinger, and therefore a middle course ought to be adopted, in my estimation.

To this Dr. Schlesinger replied as follows:

When I stated that this reply had been printed, without letting me have a chance to hand in a rejoinder, I was under an erroneous impression. I have read it through since, and I find that Brother Felsenthal may be of a different opinion so far as the scientific point is concerned, but so far as the practical part is concerned, we fully agree. I think it would not be very difficult to show that Brother Felsenthal is not quite right. I will admit that I stretched a great many points in my first paper which could be refuted, but generally I fully agree with Dr. Felsenthal and I second the adoption of this resolution.

The Secretary then read the resolution.

Resolved, That in case we should be invited to officiate as Ministers of religion at the cremation of a departed co-religionist, we ought not to refuse on the plea that cremation is anti-Jewish or irreligious.

On motion, the resolution was adopted, and the views of the report in general indorsed.

Dr. Joseph Silverman was then given the privilege of the floor and said:

I have a resolution to offer on an important subject. We have abolished Milath Gerim and some of our co-religionists will think that we are ready to surrender the entire Judaism to the Christian cant. I, therefore, offer this resolution:

Resolved, That the Executive Committee be instructed to have at least two papers prepared, to be read at the next Conference in Washington, giving plans for the better observance of the Sabbath.

On motion of Rabbi Geismar, which was seconded and adopted, the resolution was referred to the Executive Committee, with full power to act.

Rabbi Calisch then introduced the following resolution:

WHEREAS, There is a growing tendency toward the introduction of religious legislation in many States of the Union, and even at the National Capital; and,

WHEREAS, Such legislation is antagonistic to the fundamental principles of our country's Constitution and therefore endangering the stability of all American institutions; be it

Resolved, That it is the sense of this Conference, that we, as a body of American Ministers, while thoroughly recognizing the value of religious sentiment, do most emphatically protest against all religious legislation as subversive of religious liberty. Be it further

Resolved, That we, therefore, protest against the movement to close the World's Fair on Sunday as restricting the sacred liberties and opportunities of a great mass of the American people, whose claim to recognition dare not be denied.

Rabbi Geismar moved the adoption of the resolution as read.

The motion was seconded. A spirited discussion followed, participated in by Rabbis Geismar, Schlesinger, Gutmacher, Silverman, Joseph and Calisch. Rabbi Geismar concluded his remarks thusly:

If the World's Fair is to be closed on Sunday, it should be closed for only one reason. Not for any religious reason, but simply for a politico-economic reason, namely, that the employes of the World's Fair shall have this one day's rest in seven. If this is the reason for the closing of the World's Fair, or if any other reason be given that the country will be injured in some of its prospects, or interests, by the opening of the World's Fair on Sunday, set me down as voting for the closing of the World's Fair. But, if there passes through this land a hue and cry that this is a Christian country, that our Constitution is a Christian document, that we must vote for the closing of the World's Fair, because it trespasses upon the Lord's Day, then I am opposed to the closing of the World's Fair; and as a Rabbi in this Conference, I most heartily enter my protest against any such step and I shall vote for the resolution.

The Rev. Dr. Silverman said:

We are here now, not as American citizens, contradistinguished from citizens of the world, we are here gathered merely as Jewish

[illegible] to discuss what pertains to the Jewish religion; not to the Jewish interests so much as to the Jewish religion. We have just adopted a recommendation to the Executive Committee to prepare plans looking to stimulating a better observance of the Sabbath. And after we set ourselves down to try to improve the observance of the Sabbath, in the next breath we try to upset the observance of Sunday. Let us be consistent as Rabbis. We will work for the Sabbath, and if you want to introduce a resolution asking the World's Fair commission to close the World's Fair on the Sabbath Day, I am with you. We have a right to do that as Jews. But we would not do that because they would think that is Chutzpa on our part. Isn't it more Chutzpa on our part to ask the World's Commission to open the Fair on Sunday, when there are 60,000,000 people, perhaps, here in this country, who want the Fair closed? I don't care whether fhe Fair is closed on Sunday or whether it is open, as a Jewish Rabbi, but I say we have no right to stand here or sit here, and take action in favor of the opening of the World's Fair on Sunday. In the spirit of these remarks, I move you that we table the resolution that has been offered, or I will move to strike out that part of the resolutions referring to the opening of the World's Fair on Sunday.

Rabbi Ed. N. Calisch championed the adoption of the resolution with the following remarks:

I am indeed happy that this resolution, innocent as I thought it on its face, has caused so much commotion. I am happy that it has brought out the sentiments and feelings that it has. But in spite of the opposition that has been aroused to it, in spite of the fact that since it has come before the Conference I have been drawn aside, and asked to withdraw it as being unwise and untimely, I nevertheless rise and claim your indulgence for one moment to plead for the support of the resolution as it stands. Though I will say that I will be satisfied with half a loaf if I can not get a whole loaf, yet, I would like the entire resolution adopted, and I trust it will go through as such. The necessity is apparent to me, and patent unto me, on the face of it. The gentlemen have been talking of policy and expediency, but that is a thing that at this time is out of place on our part, I assure you there is no man present who has more consideration for the feelings of others than myself. There is no one present who has more reverence for the institutions that have helped along the progress of humanity and have brought it to its

present glorious state than I have. And Christianity, as one of such institutions, I honor and revere. I esteem it for what it has done, and for what it is likely to do in the future; for the men it has produced, for the faith that has crystalized the rude chaotic nations and the great mass of the human family in the practice of duty and of conscience. Yet, when the sentiment is expressed that Christianity is responsible for the erection of our country's liberties, I cry "halt," and I say that what America is to-day, so far as freedom and liberty and independence is concerned, it has been made by men rather in the face of the Church, than by its assistance. There has not been a movement or a step in our progress toward free thought and civil and religious liberty that has not met opposition of the Church in days past. I do not desire to cast any reflections upon our daughter faith, but at the same time we demand that the daughter faith shall not encroach upon the mother faith. It is our opportunity here to be citizens of this country, and as the former speaker has well said it is our duty here assembled as Jewish Ministers, to take interest only in the Jewish religion and what concerns the Jewish religion. The prophet Jeremiah has said that the first concern of the Jew is to pray for the welfare of the Government, for in the peace of the Government is peace unto us. But this movement is not antagonistic to Christianity, but in behalf of the liberties of our country which are encroached upon by the tendencies of the day. The speaker has said we have no right to ask that the World's Fair should be closed on Saturday for our benefit. In the same spirit, though we be only perhaps a million against sixty million, they have no right to demand, in the name of Christianity, that the World's Fair shall be closed on Sunday. Precisely for the same reason, as Brother Geismar has said, were it based on political or economic reasons, for the welfare of the country at large, I too, would step into the breach and say it shall be closed on Sunday. But it is asked only and because it is the Lord's Day, the day that has been intended to supplant our Sabbath Day, and we must be aggressive in our opposition to it. Our race, it is true, wears the badge of patient sufferance, but the time has come when we shall cast it aside. We have been on the defensive for centuries. It is time that we are on the offensive. The worm trodden upon will turn in the end, and the time has come in this nineteenth century when we shall stand for our liberties, even as our forefathers stood in days past.

The previous question was then moved and adopted.

The amendment to strike out that part of the resolution referring to the protest to the closing of the World's Fair was carried. Yeas, 18; nays, 15.

The resolution as amended was then adopted. It reads thus:

WHEREAS, There is a growing tendency toward the introduction of religious legislation in many States of the Union, and even at the National Capital.

WHEREAS, Such legislation is antagonostic to the principles of our country's Constitution, thereby endangering the stability of all American institutions; therefore, be it

Resolved, That it is the sense of this Conference that we, as a body of American ministers, while thoroughly recognizing the value of religious sentiment, do emphatically protest against all religious legislation as subversive of religious liberty.

Dr. Harris then introduced the following resolution, relative to a code of ethics regarding ministers' relations to one another:

Resolved, That a Code of Ethics among Ministers, such as the following, receive the indorsement of the Conference as a whole and of the members individually:

That no minister accept a call from a congregation that sends adrift a colleague who has grown old in its service, providing that his character be irreproachable, and that he fulfill his duty to the best of his ability; but that such objection should not hold good where the congregation pensions its aged minister.

That no minister shall become a candidate for a position while the incumbent is still in office, but shall only consent to candidature after the pulpit is declared vacant. In other words, that a minister should avoid any action that would point to his seeking the pulpit of another.

When two or more ministers are candidates for one position, that they should extend to each other all the courtesies and consideration possible in order to maintain the fraternal feelings that should always exist among colleagues.

That ministers may officiate when called upon at funerals or weddings of members of other congregations, on the ground that the individual should be given the right of choice.

That no member accept an invitation to preach in a congregation without the consent of its minister.

MAURICE H. HARRIS.
JOSEPH SILVERMAN.

The Code of Ethics was unanimously adopted as presented.

In behalf of the Executive Committee of the Hebrew Sabbath-school Union of America, Dr. M. Mielziner finding a demand for

a manual for teachers of religious and ethical instruction on Jewish Sabbath-schools, presented the following petition:

"The Executive Committee of the Hebrew Sabbath-school Union hereby petitions the Central Conference of American Rabbis to appoint a committee of five to co-operate with the Committee on Literature and Publication in the preparation and publication of text-books for Sabbath-schools, and to provide a manual to serve as a guide for Sabbath-school teachers, especially in such schools not under the guidance of a Rabbi."

On motion, the petition was granted and the President appointed the following Sabbath-school Committee: The Rev. Drs. Kohler, M. Harris, M. Samfield, Hecht and Harrison.

In view of services rendered the cause of Judaism, both by publications and otherwise, Dr. Ignatz Grossman, of Chicago, was unanimously elected an honorary member of the Conference.

Dr. I. S. Moses, Chairman of the Committee on Publication, appointed to report plans and find ways and means of publishing and disseminating the Union Prayer Book, called for final action on the adoption of the Report of the Ritual Committee as a whole and submitted the following minority report:

"The title of the manual of prayers shall be 'Union Prayer Book for Jewish Congregations,' or 'Hebrew Union Prayer Book as adopted by the Central Conference of American Rabbis.' On the other side shall be printed, 'Copyright by the Central Conference,' or 'by the President,' or by any one of its representative officers, and held in trust for the Rabbinical Conference. That the Ritual Committee shall be left in power to continue their work. Next year, or the year following, when the entire work shall be out, a perpetual committee can be appointed, who shall have the publication not only of this ritual, but also of other matters. The hymn-book will follow, and perhaps we will take up some other publications in the interest of our association and our congregations."

Rabbi Lewinthal then presented the majority report of the Committee on Publication as follows:

Resolved, That the Ritual Committee be empowered to publish the prayer-book under such plan as shall be approved by the Executive Board. Be it further

Resolved, That the prayer-book shall be the property of the Conference and be copyrighted under its name.

Rabbi Gries gave the following explanation of the report and advocated its adoption:

Dr. Moses, it was understood according to the original motion was the Chairman of this Committee, and the report which he delivered here was not the report which the committee decided to deliver. The report read by Dr. Lewinthal is the report which the committee wish to offer. If there is any correction to be made in that, of course it can be made here in open meeting. And I would like to state as a member of that committee that the question of expense of publication is, of course, the vital question with regard to the publication of the prayer-book. There is a certain amount of expense which has already been incurred, and that has been at the risk of Dr. Moses personally, and it is no more than proper that this Conference in such plan as it shall adopt for the publication of the prayer-book in the future, shall reimburse Dr. Moses for the expense incurred. But the bill has not been presented and the bill can not be presented, as Dr. Moses himself assured me, because he does not know the exact amount. And for that reason this report reads that it shall be published by the Ritual Committee under such plan as shall be approved by the Executive Board of this Conference, the Executive Board of this Conference being responsible for the finances and any debts we incur.

The resolutions of the report as read by Rabbi Lewinthal and indorsed by Rabbi Gries were received, and, on motion, unanimously adopted.

The report of the Ritual Committee as a whole was then adopted, together with its supplementary amendments.

Rabbi Gutman offered the following resolution:

Resolved That the Rabbis of the Central Conference of American Rabbis convened in session in New York City do recommend to their co-religionists in this new commonwealth to embrace the opportunity of the four hundredth anniversary of the discovery

of the new world by endowing the chair of Jewish History and Literature established in the Hebrew Union College in Cincinnati.

The resolution was seconded, and on motion unanimously carried.

Dr. Joseph Silverman presented the following resolution:

That the Executive Committee be requested to prepare for the next Conference papers giving plans for the organization and conduct of congregational societies for young people.

DR. SILVERMAN.
DR. HARRIS.
DR. GROSSMAN.

Resolution indorsed and adopted.

Dr. Silverman's motion that the Executive Committee be empowered to revise the Constitution of the Central Conference, with especial reference to the qualifications for membership, was adopted without discussion.

President Wise then announced the following Committee on Hymn Book: Rabbis A. Gutman, L. Grossman, Detroit; M. Gries, David Levy, Charleston; and Charles Levi.

K. Kohler
ew York.

The Committee on Nominations, through its Chairman, the Rev. R. Benjamin, reported the following list of officers of the Conference for the year 1892–93:

President, Rev. Dr. I. M. Wise, Cincinnati.

Vice-President, Rev. Dr. K. Kohler, New York.

Recording Secretary, Rabbi Charles Levi, Cincinnati.

Assistant Recording Secretary, Dr. M. H. Harris, New York.

Corresponding Secretary, Rabbi Alex. H. Geismar, Brooklyn.

Treasurer, Rabbi Tobias Shanfarber, Baltimore.

EXECUTIVE COMMITTEE.

Rev. Dr. M. Mielziner.	Rev. Raphael Benjamin.
Rev. Dr. David Philipson.	Rev. Dr. Jos. Silverman.
Rev. Dr. I. S. Moses.	Rev. Dr. S. Sale.

Trustees of Superannuated Ministers' Fund, Drs. I. M. Wise and Philipson and Rabbi Charles Levi.

Rabbi Rypins moved that the report of the Committee on Nominations be accepted and that the Secretary cast the unanimous vote of the Conference for the names proposed. The motion unanimously prevailed and the above-named nominees were declared elected.

The following was presented by Dr. Kohler, and adopted by the Conference:

In view of the fact that the Holy Scriptures, in the form we have them translated, are not adapted to use in the pulpit or in the school and household, many passages being of a nature that forbids us to read in public, as was already recognized by the Rabbis in the Mishna; in view furthermore of the recognized need of a book containing the regular weekly and festival Bible readings that can be handed to the congregants, and to pious readers, young and old:

Resolved, That a committee of five be appointed to prepare a book of select Bible readings for the Sabbath and Festivals, with a view to as close adherence to the Synagugue custom as possible.

Also a selection of Post-Biblical readings out of the Apocryphal and other writings, for the Sabbath-school, and occasionally for the pulpit.

Dr. I. S. Moses moved that the Conference extend a special vote of thanks to Dr. Felsenthal, an honorary member of the Conference, for the able essay on "Cremation from a Jewish Standpoint," written for the deliberation of the Conference.

Motion unanimously prevailed.

The Secretary then announced that the evening session would be held in Harlem Temple, 125th Street and Fifth Avenue, at 8 o'clock.

On motion, the *American Hebrew* was granted the privilege to abstract the official transactions of the Conference from the stenographer's report for purpose of publication.

The Conference then adjourned.

SUNDAY EVENING SESSION.

HARLEM TEMPLE,
NEW YORK, July 10, 1892.

Conference reconvened at 8:30 for its last public session. Rabbi A. H. Geismar opened the proceedings with prayer.

Rabbi E. N. Calisch then delivered an address on "Judaism and the Public Schools of America." (See Appendix C.)

The Secretary was then called upon to read the memorial resolutions offered by the committee on the deceased member, the Rev. Solomon, of Appleton, Wis., and on the late lamented honorary member, Dr. Liebman Adler, of Chicago.

The resolutions were adopted by a rising vote.

Appended are the resolutions as adopted.

The Death of the Rev. Dr. Liebman Adler,

Having been officially communicated to the Central Conference of American Rabbis, at their third annual session assembled in the city of New York, the committee appointed and charged with the task of giving suitable expression to the sentiments of this Conference, beg leave to submit the following:

It was a sad day for American Judaism when that stanch advocate of truth, that peerless champion of right, that whole-souled man of honor, that profound scholar and eminent teacher in Israel, Liebman Adler, was summoned to his eternal home.

His was that strength of character, coupled with that simplicity of disposition, which constitutes the element of greatness in man, and which endeared him to all with whom he came in contact.

True to every duty, earnest in the furtherance of Israel's cause, he maintained in every position of life the strictest integrity and the most spotless purity, sacrificing personal considerations to the advancement of his fellow-men and the furtherance of Israel's cause.

His death has left a wide gap in our ranks, created a void that will be difficult to fill. His memory shall ever be cherished, and among the names of Israel's beloved teachers none will be dearer than that of our late friend, adviser and co-worker,

LIEBMAN ADLER.

While we deeply deplore the loss we have sustained, and while we sincerely sympathize with his bereaved family, to whom in the closed circle of his home he was as bright an example of duty, earnestness and love as to those who formed his intellectual household, we bow in humble resignation to the Supreme Power and Will, and draw comfort from the thought that he will live eternally in the grateful memory of those whom his life work have affected beneficially, that his words will live after him, and that he having led many from sin, will shine like the stars forever זכר צדיק לברכה The memory of the righteous shall be blessed.

In token of our high regard for the memory of our late lamented honorary member, be it

Resolved, That a page of the records of the Conference be set aside for the above sentiments, that this testimony of our veneration be published in the Jewish press of our country, and a copy be presedted to the family.

Rev. Rudolph Grossman,
Rev. Dr. Hecht,
Rev. I. S. Moses,
Committee.

Rev. M. Solomon.

Whereas, This Conferenc has learned with deep regret of the demise of our Brother, the Rev. M. Solomon, of Appleton, Wis., who for many years served earnestly and zealously the cause of Judaism and humanity; be it

Resolved, That we, the members of the Central Conference of American Rabbis, assembled in convention, express our sincere sympathy to the family in their bereavement; and be it further

Resolved, That these resolutions be spread on all the minutes, and that a copy thereof be sent to the family of the departed brother.

I. L. Rypins, *Chairman.*
I. Lewinthal.
A. Guttmacher.

President Wise then called upon the Rev. Dr. I. S. Moses to deliver the memorial eulogy on the life, character and work of the deceased honorary member of the Conference, the Rev. Dr. Liebman Adler. (See Appendix D.)

Dr. Moses then delivered the address, closing with an appeal to all the Rabbis present to endow a Liebman Adler Chair of Jewish History and Literature.

Rabbi Clifton Levy then presented the following resolution of thanks on behalf of the eommittee appointed for that purpose:

Whereas, The Central Conference of American Rabbis has been welcomed so heartily and received so kindly and hospitably during its session in New York City, therefore be it

Resolved, That the thanks which this Conference feels so deeply are hereby expressed, first to the officers of Temple Beth-El for the use of their comfortable and handsome meeting room and magnificent temple so freely tendered them; next, to the officers of Temple Israel, for the use of their beautiful place of worship; and, lastly, be it

Resolved, That the deepest gratitude is hereby expressed to the individual Rabbis of New York and Brooklyn, to whose untiring efforts the success of the present meeting has been largely due. And especially thank them for the spirit of fraternity and cordiality

evinced, and for their constant endeavors by which the labors of this Conference have been brought to so happy an issue. We express thanks to the press for their courtesies extended the convention.

Thanks of the Conference are due to the City of New York for its open hospitality.

CLIFTON H. LEVY, *Chairman.*
ISRAEL JOSEPH.
M. SCHLESINGER.

President Wise then arose, and in his concluding remarks congratulated the Conference on the results of their four days' deliberations and the fraternity and good will prevailing among all the members. He then thanked all for their zeal, and in particular congratulated the Conference upon the accession in their ranks of Dr. K. Kohler as Vice-President.

Before closing the session Secretary Charles Levi introduced the following resolution and called upon Dr. Kohler to champion the same:

Resolved, That the members of the Central Conference of American Rabbis, appreciating the generous consideration and courteous treatment accorded us by our presiding officer, hereby make acknowledgment of our deep felt gratefulness and well-bestowed confidence in the heroic endeavors of our president to guide the Conference over the shoals and rocks into the harbor of safe and prudent judgment, and proclaim our steadfast adherence and heartfelt thanks to the Sage of Jershuran, the champion of American Judaism, for the thoughts of living inspiration, which his personality impressed upon us.

Dr. Kohler seconded the resolution in an eloquent address and moved the adoption of the resolution by a rising vote, which motion was enthusiastically carried.

Dr. M. Harris then closed the business of the Conference with prayer and benediction.

The Conference then adjourned to assemble again in Washington.

RABBI CHARLES LEVI, *Recording Secretary.*
DR. M. H. HARRIS, *Assistant Recording Secretary.*

ON CREMATION FROM A JEWISH STANDPOINT.

By Dr. B. Felsenthal, Chicago.

To the Rev. Isaac S. Moses, Chairman of the Committee on Cremation:

In last year's Central Conference of American Rabbis the resolution was passed, "that Dr. Schlesinger's paper on Cremation be referred to a committee of five, to report at the next Conference whether or not cremation is in accord with the spirit of Judaism." As a member of this Committee I beg now to submit to you, as our Chairman, my individual report.

Right in the beginning I desire to say — and it is gratifying that I can say so — that Dr. Schlesinger's essay is a very scholarly one, and that it is evidently written after a careful study of the subject. Nevertheless, I think that several of our friend Schlesinger's statements and deductions are not sufficiently supported; that, on the contrary, they are untenable. At least the present writer can not agree to them.

Dr. Schlesinger correctly says that "to bury the dead, as we do now, is a Jewish custom." But a little further on he continues: "If we trace the course of the history of Judaism far enough upward, we shall find that other customs prevailed; that, in fact, originally the Hebrew mode of disposing of the dead, was cremation, and not burial." Almost immediately after this he proceeds, saying: "The sacred literature of the Bible has preserved unmistakable, though only faint traces of this primitive custom. We also find that, even in Biblical times, cremation was resorted to in extraordinary cases."

Now let us examine these assertions.

In the very first book of the Bible, in Genesis, we find already nine explicit statements, according to which as early as in the patriarchal age the dead were disposed of by interring them. Abraham and Isaac and Jacob and Joseph, Sarah and Rebeccah and Rachel and Leah, and also Deborah, the nurse of Rebeccah, were, according to the testimonies in Genesis, not cremated, but *buried.* It is not necessary that we should make further extracts from the

Biblical books. Every Bible reader is well aware of the fact that our Bible records also in plain and distinct words the *interment* (and not the cremation) of Miriam, of Moses, of those who, in Moses' time, died in the wilderness and were buried in Qibhroth-ha-Taawah, of Joshua, of almost all of the Judges, of Samuel, and so on in a very large number of instances. And so it seems to me that, if we ask History about the matter, History will answer that in patriarchal and in post-patriarchal, in Biblical and in post-Biblical times, the Jews *buried* the remains of their departed ones. There is nowhere the least indication that at any time "other customs prevailed" among them. Of the indications or "traces" of these "other customs," which some think they have found, I shall have something to say further below.

The truth of the Biblical records concerning burials is strongly corroborated by the fact that never an urn containing the ashes of an Israelite of Biblical times or of a Jew of post-Biblical times has been found, while, on the contrary, many Jewish sepulchres and Jewish graves from the most ancient times have been preserved, and have been explored and described by archæologists and historians. Many of the כוכין of the Talmudic times, many of those peculiar excavations on hillsides and in rocky grounds, which were designated by that name, כוכין, are still extant, and some of them, which are supposed to be the last resting places of especially pious people and learned rabbis, are even in the present times visited by Palestinian and non-Palestinian Jews, who by doing so honor the memory of those whom they believe to be buried there. Also tombs and sepulchres from a more remote past, tombs originating in Biblical times, have, as said before, been preserved, and are regarded, by Jews and Christians and Mohammedans alike, as sacred places; so, for instance, the cave of Makhpelah, the tomb of Rachel, the royal sepulchres in Jerusalem, etc.

It may be that some of these burial places, said to be such of famous persons of ancient times, are not genuine, and that they are only designated as such by very untrustworty and doubtful traditions. It may be that — to give an instance or two — the tomb of Dinah, the daughter of Jacob, of which Na'hmanides (ad Gen. xxxiv. 12) and others said that it is to be found in the Galileean city of Arbela, is not sufficiently proven to be the real resting place of the remains of Dinah; that, on the contrary, doubts as to its genuineness are perfectly justified.

(עיין רמב"ן עה"ת פ' וישלח וז"ל קברה (של דינה) ידוע עד היום בקבלה והוא בארבאל אצל קבר נתאי הארבלי. מובא ג'כן בס' כפתור ופרח פ"י וגם בס' גלילות א"י ובס"חד ובמקומות אחרים)

It may be that we have good reasons for doubting the identity of the graves which are pointed out as those of the prophet Samuel and of his parents, though these graves are visited every year on the 28th and 29th of Iyar by large numbers of pious Jews, who recite their prayers there. (See the article, "*Rama und Nebi Samuel*," by Baurath Schick, published in Luncz's annuary. "*Jerusalem*," vol. i. (1881), German part, pp. 147, seq.)

It may be that other "graves," said to be the graves of prophets and others of Biblical times, and of rabbis and others of post-Biblical times, are wrongly considered so. Yet it must be admitted that there are *some* very ancient sepulchres and graves whose genuineness is beyond a reasonable doubt. This is the case with the Cave of Makhpelah, with the tomb of Rachel, etc. Great authorities, upon whose critical and well-weighed judgment we may safely rely, maintain that it is so, and they prove it by a large array of strong evidence. (See Schick, *loc. cit.* p. 156; Robinson, "Bibl. Researches," vol. ii. 433, et seq.; the publications of the Palestine Exploration Fund, *passim*, and many other authorities.)

But we are invited "to go up to prehistoric times." However, if we venture upon that slippery ground, we shall there also fail to find any support for the statement that in the remote prehistoric times cremation was customary among the Abrahamites, or their progenitors, or among Semitic nations in general. (We must now speak of Semitic people in general, and not of Jews, as it would hardly be appropriate to speak of pre-Abrahamic Jews.) What information has come down to us from these prehistoric ages? Perhaps the finding of burned human bones? of urns containing human ashes? As far as I know, no such finds have ever been made in the old homes of the Semites, except it be those of Romans, who in later times had come there, and had established there military camps and other settlements. Or have some ancient cuneiform inscriptions been found and deciphered, inscriptions which bear testimony that the Semites used to cremate their dead? I believe this question also must be answered by "No." Or are there any old legends and traditions in existence which may indicate that cremation once prevailed? Yes, there are legends and sagas, but they support the opposite view, the view that even the very first men were *buried*. Of Adam, of his sons Abel and Sheth, of his descend-

ant Shem, and of other pre-Abrahamites, sagas found in the Talmud and in the Midrash and in other parts of our Jewish literature (and let it be added here *in parenthesis*, also among the legends of the Mohammedans and of the Christians) maintain that they were *buried*. Still more, of some of them their graves have been more or less distinctly located. Concerning Adam there exists the very old tradition that Henoch buried him. We find it recorded already in *Seder 'Olam*, a book attributed to the Mishnaic teacher, José ben 'Halaphta (second century); and after José this was repeated by the compilator of the *Midrash Yalqut* (ad Genesis sec. 42), by Abraham Zacuto in his *Yu'hasin*, by Gedalyah Ya'hya in his *Shalsheleth ha-Qabbalah*, by Samuel ben Mëir in his commentary to *Babha Bathra, fol. 121b*, etc. In one place, in *'Erubhin, 53a*, the Talmud says that in Qiryath Arba' four couples lie buried, viz.: Adam and Eve, Abraham and Sarah, Isaac and Rebeccah, Jacob and Leah. In another place, in *B. Bathra, 58a*, we are told that, when once Rabbi Bannaah was out visiting and marking the old graves, he came to the Cave of Makhphelah, where the patriarchs and where also Adam had been buried. We have to state here, however, that the localization of the grave of Adam does not go undisputed. According to another tradition, Adam has been buried not in 'Hebhron, but in a place which is two days' journey east of Hebhron, not far from the river Sambation. Rabbi Gershon ben Eliezer ha-Levi, of Prague, who had traveled in Palestine and in the adjacent countries about the year 1630, saw, besides many other quite remarkable things, also this grave of Adam, and he stood near it, as he assures the readers in his book *Geliloth Eretz Yisrael*. Who will doubt now this eye-witness? Who will doubt what he has recorded in his *Sepher?* Ye'hiël Heilprin, the author of *Seder ha-Doroth*, had no doubting scruples. He was a very pious and a very — credulous man, and as such he accepted Gershon's evidence as trustworthy, and he repeated it in his book a hundred years after him. According to the same Heilprin, Sheth is buried in Arbelah, and Shem in the land of 'Og, where the above-named traveler, as he tells us, saw Shem's tomb with his own eyes. The same is eighty cubits long, as he says. Who can doubt now?

Let it be added here, as one of the curiosities of Jewish folk-lore, that, according to the Midrash (*Bereshith Rabbah*, sec. 22), even Abel, the very first human being who ever departed from the earthly life, was also buried. But who buried him? the Midrash asks. To this question Rabbi Elazar ben Pedath gives the answer. He says the

birds of heaven and the clean animals of the field performed this work of love.*

These Agadas and Sagas do certainly not prove the historical truth of what they report. But one thing they do prove, viz.: that since almost two thousand years, and also undoubtedly in times previous, the Jews could not conceive even for Adam and his immediate descendants any other way by which their dead bodies might have been disposed of except that they had been buried and hidden away in graves.

We have spoken thus far of actual historical and topographical facts and of ancient and often-repeated legends concerning the disposal of corpses in olden times. Let us now see what kind of sentiments and views regarding the final disposal of the dead prevailed in Biblical times. In Genesis iii. 19 we read that a divine voice said to Adam: Unto dust thou shalt return. To Abraham God said (Gen. xv. 15): Thou shalt be buried in a good old age. See further Psalm civ. 29, To their dust they return; Eccles. xii. 7, The dust will return to the earth as it was; Job v. 26, Thou wilt go in a ripe age unto the grave; *ibid.* xxi. 32, He will indeed be carried to the grave. Compare also Isa. xxii. 16; Ruth i. 17, and numerous other passages. Compare furthermore I. Kings xiii. 22; Jer. viii. 1–3, xiv. 16, xvi. 4, 6, xxv. 33; Ps. lxxix. 3; Eccles. vi. 3, etc., from which passages we can not but draw the conclusion that to be left unburied was a thought abhorrent to the minds of ancient Israelites, and that it was considered a very great calamity.

But it is said that the Hebrew language itself, if we delve into its mysteries, will reveal it that originally cremation must have been the custom in Israel. The Hebrew word ארון (coffin) — so we are told — is etymologically related to the Latin word *urna*, which in its turn is derived from *urere* (to burn); and an urn was called an urn because in olden times the ashes of burned corpses were kept therein; ארון, being etymologically connected with *urna*, designated there-

*Another answer to the question, Who buried Abel? we find in another Midrash (*Yalqut*, sec. 38, from some older, to me unknown, source). This Midrash says, Adam and Eve had found the dead body of their favorite son Abel, and they wept and mourned over him. They did not know what to do with the corpse. It happened that the raven, whose companion had died, was near. He pitied Adam, and he said: I will show him what to do. He took his dead companion, put it in some cavity in the ground, and covered it with some earth. Adam, who had watched the raven's doings, acted then likewise — he buried Abel.

fore originally a vessel containing the ashes of corpses burned in the fire. Can this argument seriously be maintained? We leave it to the learned Latinists to say whether, or not, the derivation of the Latin word *urna* from *urere* is correct. But suppose that the word *urna* has really grown out from the root *urere*,— might it not be more correct if we should say that *urna* meant originally a vessel made of burned clay? Why, then, this far-fetched theory that it was called so because it was a receptacle for the ashes of burned corpses?

Be this, however, as it may be, so much is certain that the Hebrew word ארון has, etymologically, nothing in common with the Latin word *urna*. The one word is not a mere phonetic modification of the other. In their meanings as well as in their origins these words are radically different. The meaning of "ארון" was and is nothing else than *box*, *chest*, *shrine*.

In the Bible the word ארון occurs two hundred and two times, and among these two hundred and two passages there is only *one* — mark it: only *one* among two hundred and two! — where ארון means a box for a mummy, a coffin. This solitary passage is to be found in Genesis l. 26. In 195 places the word ארון means the sacred box in the tent of the covenant or in the temple, the holy ark; and in six places (II. Kings xii. 10, 11; II. Chr. xxiv. 8, 10, 11, 11) it means a money box. In the post-Biblical literature of the Jews the word is oftener to be met with, but here, too, it has in every instance the meaning of *box*, and the context alone can make it clear what kind of a box is meant. Nathan ben Ye'hiël, in his *'Arukh* s. v., quotes three passages from the Talmud in which the word ארון is occurring, and it is remarkable that in none of them it means a coffin. In the one passage quoted by Nathan from the Mishnah, *'Eduyoth* iii 8, ארון means a grocer's box, in which ground beans are kept. In the other passage, quoted from Babhli, *Shabbath 32a* by ארון the holy shrine in synagogues is meant. And in the third passage, cited from Jerushalmi, *Berakhoth*, iv. 5, the word ארון refers to the ark of the covenant.

Certainly, this selection of passages by the author of the *'Arukh* is only accidental, and Dr. Kohut in his *'Arukh ha-Shalem* quotes s. v. many additional passages from the Talmud, and among them also such in which ארון means a box for a corpse, a coffin.

No, there is no etymological nor any other connection between ארון and *urna*, as there is none between the German word *Nachlass* and the Hebrew נחלת, the French *pucelle* and the Hebrew בתולה,

the English *Sir* and the Hebrew שר, etc. Such philological חידושים can not be considered seriously.

We turn now our attention to the phrase ואנכי עפר ואפר "I am but dust and ashes" (Gen. xviii. 27), of which it has been said that it too points to the fact that in a previous age burning of the dead must have been customary. In answer to this we have to say that the phrase ואנכי עפר ואפר is a semi-poetical one, and that the author used therein a paronomastic play of words. But is it right to press such a poetic figure of speech in order to find a meaning which the author certainly did not think of when he wrote down these words? Furthermore, אפר does not always mean *ashes*. In Mal. iii. 21 it stands as a synonym for עפר, and means *dust*, dust upon the roads.

But — it is said — there are at least *some* passages in the Bible where cremation is clearly and distinctly spoken of. Let, then, these passages be brought before us, let us look critically into their face, let us briefly, but unbiasedly, examine them.

Gen. xxxviii. 24.— "Take her away and she shall be burned." Judah, who spoke thus, intended to have a capital punishment executed. Is it possible to find in these words a hint that in those times cremation of dead human bodies was a prevailing custom?

Similar it is with the laws in Lev. xx. 14 and xxi. 9. Burning is prescribed here as a punitory method for persons who had been sentenced for having certain crimes committed.

Josh. vii. 25.— "And all Israel stoned him with stones, and burned them in the fire, after they had stoned them with stones." This verse speaks of the execution of 'Akhan and his sons and daughters, who had become guilty of a great crime. After they had been stoned, the punishment was still more aggravated by burning their corpses.

I. Sam xxxi. 12, 13.— The inhabitants of Yabhesh-Gil'ad, after they had learned that the Philistines had hanged the bodies of Shaul and his sons to the wall of Beth-Shan, went forth "and walked all the night, and took the body of Shaul and the bodies of his sons from the wall of Beth-Shan, and they burned them there; and they took their bones and buried them under the tamarisk-tree at Yabhesh," etc. Compare hereto the parallel passage in I. Chr. x. 12; also II. Sam. ii. 4. In these latter passages, in which the burial of Shaul and his sons is made mention of, nothing is said of the burning of the corpses at all, and therefore certain Bible critics have proposed to amend the text in I. Sam. xxxi. 12 so as to harmonize the differing passages, and to read ויקברו instead of וישרפו

But such an emendation is not necessary. We accept as correct the reading in I. Sam. as it stands in the Masoretic text, and take it as a fact that the corpses, i. e., the fleshy parts thereof, were burned, and the bones were interred. As the corpses had been exposed to the air and sun for several days, perhaps for several weeks, before the men of Yabhesh came to rescue them, putrefaction had certainly set in, and burning of the decaying fleshy portions of the corpses had, in this exceptional instance, become a necessity. Rabbi David Qim'hi, in his commentary *ad loco*, is evidently correct, and every unbiased Bible student must agree with him when he says: יתכן לפרש כי הבשר שרפו שהעלה רמה ולא רצו לקברם עם התולעים כי לא היה דרך כבוד ושרפו הבשר וקברו העצמות It is to be understood that the fleshy portions they burned, for worms had come forward on them, and the men did not wish to bury these corpses together with the vermin; such would not have been a respectable burial; therefore they burned the flesh and interred the bones.

II. Chr. xvi. 14.—Here the burial of King Asa is spoken of in these words: "And they buried him in his own sepulchres, which he had dug for himself in the city of David, and they laid him in the couch, which was filled with sweet odors and divers kinds of spices mixed by the apothecary's art; and they made for him a burning uncommonly great." Mark well, the text says, וישרפו לו "they burned *for him* a burning," and it does not say וישרפו אותו "they burned *him*." There is a difference between *for him* and *him*. The meaning of the quoted passage is: The people paid particularly great honors to the departed king by burning perfumes and spices when they brought the corpse to the sepulchre, and by arranging a funeral of unusual costs and magnificence. That the corpse itself was burned, is an explanation of the verse which, indeed, the language of the same will not admit at all.

In the same way we have to understand II. Chr. xxi. 19, where the death and burial of King Jehoram is spoken of, and where the remark is made, ולא עשו לו עמו שרפה וגו׳ His people made no burning for him (mark: *for him*) like the burning of his fathers; that is, King Jehoram had no such funeral honors as kings before him had.

Similar it is with the words of encouragement and consolation by the prophet Jeremiah to King Zedekiah (Jer. xxxiv. 5), "In peace thou shalt die, and as burnings were made for thy fathers, * * * so they shall burn for thee," etc. ("*for thee*," not "*thee*"; לך, not אותך). The prophet desired to say: Thou, O Zedekiah,

wilt see great national calamities, the conquest and destruction of Jerusalem, etc.; yet thy life will be spared, and thou shalt have such an honorable and distinguished funeral as thy fathers had. Pompous and costly funerals of this kind, arranged in honor of great men, took place in later times too, for instance, when they buried Rabban Gamliël the Elder (*'Abhodhah Zarah 11a*).

One other passage of the Bible we have yet to consider, and its real meaning we have to make clear. It is in 'Amos vi. 10. We shall translate it here in its connection with the two preceding verses, and will try to elucidate it by explanatory words between brackets. Thus said the prophet ('Amos vi. 8, 9, 10): The Lord Eternal hath sworn by his own existence, says the Lord, the God of Hosts, I abhor the pride of Jacob, and his palaces do I hate; therefore will I surrender up (*to the enemy*) the city with all that filleth it. And it shall come to pass that if there remain ten men in one house (*as, for instance, a father and his nine children who happened to have not been killed by the sword of the enemy*), they shall die (*they too shall die — by the plague which will become prevailing in the city*). And should a man's friend or relative come to carry him away (*some friend of him who thus has died and who attends now to the sad duty of removing the body, because no one of the family, or in the house, or of the neighbors, has been left to perform this pious act of burying the dead*), and he will bring out the bones from the house, and will say unto him that may be in the recesses of the house (*perhaps some servant or other person who has been spared from sword and from pestilence, but who is afraid of coming near*), Is there yet any one with thee? he will say, There is no one left. Then he will say, Be silent, for we will not make mention of the name of the Lord.—Thus far the prophet.

In the entire passage, as we have it here before us, cremation is not in the least hinted at However, we have to state here that there are translations differing from that here given. In King James' Bible the words in the original: ונשאו דודו ומסרפו are rendered thus: *And a man's uncle shall take him up, and he that burneth him.* Those who prefer this latter translation will now ask: Is not here the word מסרפו (*he that burneth him*) proof enough that once cremation was in use among the Israelites?

Let us first consider whether this translation is correct. The word מסרף in the original text is a so-called *hapaxlegomenon*, that is, it occurs only once in the Hebrew Bible. Now it is true that already the Targumist and others in ancient times took the word מסרף

(with a Samekh) as equivalent to משרף (with a Sin), and that many after them, following their translation of the word, rendered also מסרפו by "his combustor," or "he that burneth him." Not all translators and commentators agree herein. R. David Qim'hi, for instance, who does not omit atating that some explain מסרף as though it were spelled משרף (with a Sin), begins his commentation of the phrase by saying that, according to others, דוד means a father's brother, and מסרף a mother's brother. He does not say who is "יש מפרשים" are. The name of one of them, however, we learn from Ibn Ezra. In his commentary *ad loco*, Ibn Ezra says that Juda Ibn Qoreish explained דוד as meaning a father's brother, and מסרף as meaning a mother's brother. May this Ibn Qoreish not have been correct? He was an excellent Hebrew philologist, though he lived almost a thousand years ago, and he pursued good comparative methods in his grammatical writings. He was the first Hebrew grammarian who insisted upon the necessity of comparing the Hebrew with the Aramaean and with the Arabic and the other Semitic dialects, if one really desires to understand the Hebrew thoroughly and correctly. He himself spoke and wrote fluently the Arabic, which was his mother's tongue, and he, in all likelihood, found in a kindred Arabic word the key for the explanation of the strange Hebrew "מסרף". Him we have followed in our translation above given. Suppose, however, that, as others say, מסרף (with a Samekh) is as much as משרף (with a Sin), and that it means "he who burneth him"—would we then be justified if we would draw the conclusion from the words of 'Amos that cremation was *customary?* that there was a standing class of men, called משרפים, among the ancient Israelites whose regular business it was to cremate the bodies of those who had died? Is it not clear that the prophet speaks of an exceptional case, of a terrible visitation of the nation? that he speaks of times when people will die by the hundreds, and no one will be near who will decently bury them?

From what has been said thus far it is clear and evident that the Bible does not record one single fact of cremation except the one of Shaul and his sons, whose bodies, however, had already commenced to be in a state of decomposition and decay when the men of Yabhesh came and arranged for them a decent and becoming burial.

The Bible does nowhere allude to cremation, except, *perhaps*, in 'Amos vi. 10, where the prophet has a wicked people in view, who were inclosed in a beleaguered city, surrounded by the enemy and visited by pestilence.

The Bible proves beyond any doubt that since the day on which Abraham bought the Cave of Makhpelah for a family sepulchre, burying was the one and exclusive manner of disposing of corpses.

The Bible proves further that the idea of being left unburied was an abhorrent one to the Israelite.

In coming now to post-Biblical times, we can be more brief. For it is admitted on all sides, and no one gainsays it, that during all these long centuries burying the dead was *de facto* the ruling custom and *de jure* the binding statute among the Jewish people. To bury the dead, the Jew was obliged. He was commanded to do so.

Commanded? Yes. Emphatically so. Rabbi Simon ben Yo'hai (second century) said that to bury the dead was a duty prescribed by the Torah, and he found this command indicated in the words of Deut. xxxi. 23, קבור תקברנו, "Bury, yes, bury shalt thou him,"—shalt thou every Israelite who has died, and not only him who has been executed in accordance with a judicial sentence (cp. Rashi *ad loco:* מריבוי דריש כל המתים). The rabbis in those days had still other ways for basing the law upon Biblical grounds. Thus immediately after the record of the saying of R. Simon ben Yo'hai (*Sanhedrin 46b*) we find it reported that the Persian king Shabhur asked once Rabh 'Hama: Have you any indication in your Torah that corpses must be interred? Rabh 'Hama was perplexed for a moment and did not know what to answer. When Rabh A'ha bar Jacob had heard of that, he grew quite angry, and in his anger he exclaimed: Is then the world given over into the hands of ignorant fools? 'Hama should have reminded the king of the word קבור in Deut. xxi. 23.—"But then the King might have said that from this word it may merely be deduced that a coffin has to be provided for one who has died, but not a grave."—Well, the word תקברנו is added, and this word * * * "Hold on! The heathen king might not have admitted that such a deduction מריבוי was correct." —Then it might have been said to him: See, the patriarchs already were buried.—"Ah, that was a mere custom."—Consider then, the Lord himself buried Moses.—"The Lord would not alter a previously existing custom."—Remember then, that it is written (I. Kings xiv. 13): And all Israel shall mourn for Abiyah and bury him.—"This was all, because an ancient custom should not be altered." Then think of the words of Jeremiah (xvi. 3): They shall not be lamented for, nor shall they be buried, like dung upon the face of the earth they shall be. These words, having reference to wicked people, have been said by a divinely inspired prophet; in regard to

them that what you call a mere old custom was not to be adhered to; therefore it follows that God himself *approved of Quebhurah* as the lawful thing. (Rashi *ad loco:* קבורה משמיא אסכימו עלה).

On the same page of the Talmud (*Sanh.* 46*b*) the Halakhah is laid down that, if any one should order before his demise that his body should not be buried, this order must be disregarded. And this Halakhah is iterated and reiterated by all the later Halakhic authorities; cp. Maimon. *H. Abhel* xii. 1; *H. Zekhiyyah u-mattanah* xi. 24; *Tur* and *Sh. A. Yoreh Deah*, sec. 348; and others.

Let us quote another Talmudical passage, which will also show that the teachers of the Talmudical age considered קבורה as a law, or, if you prefer it, as a religious custom which was hallowed by the most eminent authority, by God himself. It is to be found in *Sotah 14a*. Rab 'Hama bar 'Hanina said, What does that verse in the Scriptures mean, After the Lord your God you shall walk (Deut. xiii. 5)? Can then mortal man walk after the divine being? It means — so the agadist continued — that we shall follow the ethical attributes of the Holy One, blessed be His name. As He, the Holy One, clothed the naked (cp. Gen. iii 21) — as He visited the sick (Gen. xviii. 1) — as he consoled the mourners (ib. xxv. 11) — so you must do likewise; and as he buried the dead (Deut. xxxiv. 6), so you must also bury the dead.

Though some might have considered the burying of the dead as a *minhag* merely, as a custom merely, and not as a *mitzwah*, as an explicit law, certain it is that this *minhag* was very deeply rooted and was consecrated in the consciousness of the people, and *such* a *minhag*, such an unwritten law, is, according to very ancient Jewish legal principles, superior to the written law, and even supersedes it (המנהג מבטל את ההלכה). Certain it is further that since the eighth century all authorities, without exception, agree that קבורה is one of the six hundred and thirteen commandments of the Torah. The first one who specified the six hundred and thirteen commandments, which, according to a dictum of Rabbi Simlai, are prescribed in the Torah, was R. Simon, of Kahira, and in his enumeration of the same he included also לקבור את המתים (*Halakhoth Gedoloth*), ed. Hildesheimer, p. 13). Compare also Maimon, *Sepher ha-Mitzwoth*, mandatory laws No. 231; Moses of Coucy, סמ"ג No. 104; Ahron ha-Levi, *Sepher ha-'Hinnukh*, No. 537; *Maamar Haskel* vi. 8; and so forth. Compare further the various rabbinical codices in the proper places — all, all maintain that קבורה is a great *mitzwah*, a divinely ordained law.

But what about cremation? Our committee is charged to report on the question whether or not cremation is in accord with the spirit of Judaism. What answer shall we give to that question?

At no time in Jewish history and in no place in Jewish literature has cremation been discussed. No one in former times ever thought of such a way of disposing of the remains of any one. Were we now to say that the "spirit of Judaism" demands faithful observance of the laws of the Pentateuch, of the Halakhoth in the Talmud, of the Dinim contained in the Codes, then we would have to conclude: Cremation is against the spirit of Judaism.

But "*the spirit of Judaism*"—this is one of those elastic terms by which the one understands this and the other one that. One may be often tempted to say, in the words of the poet, somewhat altered here, *Was Geist des Judenthums ihr heisst, das ist im Grund der Herren eigner Geist* (What spirit of Judaism you do call, it is your own spirit after all). As now your own spirits are so widely diverging one from another, the conceptions of the "spirit of Judaism" must, of course, also widely differ. Thus it comes then that Rabbi A says: If you wish to be in accord with the spirit of Judaism, you have to submit to the authority of the Shul'han 'Arukh. Of course, this includes submission to the Talmud and to the Bible. Rabbi B differs a little. He says: The spirit of Judaism authorizes us to disregard the Dinim, which originated in the Middle Ages, and which were laid down as such in post-Talmudical times; these we may abolish. But it demands submission to the Written Law, contained in the Pentateuch, and submission to the Traditional Law, contained in the Talmud. Rabbi C is one of our American Neo-Qaraites, and he says: My spirit of Judaism is, not to acknowledge as binding any traditional law at all; it demands, however, submission to our Holy Bible; we must return to our Holy Bible. Rabbi D is of another opinion; he understands the term "spirit of Judaism" quite differently; he says: The Bible was the root merely, out of which Judaism has grown and developed; or to be more exact, the Bible itself was a production of the spirit which lived in Israel. The process of producing, growing and developing never ceased, and in its course many of the old laws, Biblical laws included, fell off the tree of Judaism as decayed fruit of former ages, and new blossoms and new fruit came gradually forward. To me the spirit of Judaism teaches to consider as dead what is dead, and to consider as alive what is alive and possesses still sanctifying

and moral-life-giving powers. And after him Rabbis E and F and G step forward, and each of them has another definition.

What shall we say now in answer to the question, whether or not cremation is in accordance with the spirit of Judaism?

You, friends A, B and C, you are not permitted to teach that a Jewish corpse may be cremated. For such would be against the Bible and against the Talmud and against the codes. It would be, from your standpoint, not in accord with the spirit of Judaism. You must continue to insist upon קבורה as the only admissible manner of disposing of the dead.

To you, friend D, another answer may be given. If in your mind and in the mind of your flock the idea that קבורה is a sacred, God-ordained institution, is it not so firmly rooted any more; and if you and your flock eventually prefer cremation to interment—in God's name, prefer cremation. You, from your standpoint, will, by doing so, not act against the "spirit of Judaism," as you understand it.

And you, friends in the Central Conference, who gave out that conundrum, whether or not cremation is in accord with the spirit of Judaism,—you, if I am not mistaken, do not share the views of A and B and C, and you do not stand upon the same grounds with them. I believe, all of you, or at least most of you, entertain religious views more or less similar to those of D and E and F. What answer shall your committee lay before *you?*

Joseph Qaro's Code is of no obligatory authority to you. The Talmud is of no obligatory authority to you. Even the laws of the Bible as such are of no obligatory authority to you. When upon a living question of the day you have to give your opinion, you exclaim in the words of the prophet (Isa. viii. 19), בעד החיים אל המתים? Shall we for the sake of the living inquire of the dead? Shall we for the sake of the living open the old folios, and submit to what they have said hundreds of years ago under quite different conditions of life? Shall we learn there whether or not cremation is in accord with the spirit of Judaism,—whether we may, if a case occurs, permit it, or whether we must, if a case occurs, oppose it?

You have consented to the abolition of the privileges and the duties of the Ahronides, of the so-called Kohanim. You will eventually not hesitate for a moment to officiate at the marriage of a "Kohen" to a *Gerushah* or *'Halutzah.* Any one who is in the least familiar with the system and organism of Judaism knows that the Kohanim-institute is of far greater importance than קבורה is, and that the abolition of the same has far wider reaching and far

deeper cutting consequences than the new institution of cremation can possibly have. And you ask such a question!

Shall, then, religion not have anything to say in regard to the final disposal of the bodies of our deceased friends? Shall we be perfectly callous and indifferent in regard to such disposals?

No! Religion has the right and the duty to demand that its voice be heard on this question. Religion in general, and the spirit of Judaism especially, have to step forward and have to claim emphatically that the dead bodies of our dear deceased ones must be treated with decency, with propriety, and in becoming seriousmindedness; that in the last rites performed at the funerals of mortal men, rich and poor be considered alike; that all unnecessary pompousness and ostentatious display of riches be avoided on such occasions; that, at cremations as well as at burials, words of faith and hope, words of consolation and encouragement, words of religious uplifting and of recalling to the duties of life be spoken. And no rabbi—I should think, even no rabbi who entertains conservative views—has a right to decline, if invited to speak such words at the cremation of a deceased co-religionist.

The writer of this does not wish to be understood that he pleads for cremation. He also does not oppose it. For he knows that he is not competent to speak as to the merits or demerits of cremation He thinks that, as a rule, but very rarely a rabbi may be found of whom it may be said that he is a competent expert on this matter. The question whether cremation is preferable to burial, or burial to cremation, should be left to be discussed not by a conference of rabbis, not by a conference of architects, not by a conference of bankers, and not by a conference of shoemakers, but by physicians and professors in medical colleges, by conferences of scholars who understand the science of hygienics, and by other men who are qualified to give a weighty and well supported opinion, either *pro* or *contra*. We, as rabbis, could at best base our opinions merely upon a subjective bias or an ill-supported personal predilection for this or that way. But such opinions fall very lightly into the scales. At any rate, none of us ought to demand that *his* personal predilections r *his* sentimental views shall be normative for him too, who does not share the same predilections and is not moved by the same sentiments. For the one who entertains such sentiments, these sentiments may be truly holy, and to act in a way discordant to them, may be truly sinful. For the other one, they are not of such an import.

We conclude now by saying that only the following motion, or one similar to it, may probably be in order in a rabbinical conference:

Be it resolved that, in case we should be invited to officiate as ministers of religion at the cremation of a departed co-religionist, we ought not to refuse on the plea that cremation be anti-Jewish or irreligious.

Respectfully submitted.

B. FELSENTHAL.

REPORT OF THE COMMITTEE ON THE INITIATORY RITES OF PROSELYTES.

Mr. President and Gentlemen of the Central Conference:

Your Committee, appointed in last year's Conference, to whom were referred the papers on the subject of circumcision of adult proselytes (מילת גרים), beg leave to present the following report to the consideration of your honorable body:

The papers before us in your "Year Book" of 1891–92 are as follows:

(1) A paper by Dr. Aaron Hahn, of Cleveland (Y. B. pp. 56–69).

(2) A paper by Dr. Isaac Schwab, of St. Joseph (Ibid. pp. 69–84).

(3) Responses to Dr Henry Berkowitz, of Kansas City (one to the Rev. Mr. Bien, of Vicksburg) on the same subject by the Rev. Drs. Felsenthal, of Chicago; Prof. Mielziner, of Cincinnati; Sonneschein, then of St. Louis; Gottheil, of New York; Moses, of Louisville; Schreiber, then of Little Rock; Landsberg, of Rochester; Hecht, of Milwaukee; besides a number of reprints from different denominational journals, which were not referred to your Committee.

We take the liberty of adding to the responses one of the late Dr. Samuel Hirsch, of Philadelphia, translated from the German by Rabbi Tobias Schanfarber, of Baltimore:

June 21, 1886.

*To My Highly Honored Colleagues assembled at the Rabbinical Conference at Cincinnati:**

Highly Honored and Esteemed Friends and Brothers: — Prevented through age and ill health to be present in person and to take part in your important deliberations, I take the liberty to

*This Conference did not meet, and the paper remained in Dr. Wise's hands.

express my views in regard to what I consider the most important and practical of all questions, namely, the granting to non-Jews all the privileges and rights of synagogical life without submitting to the rite of the Abrahamitic covenant. The venerable Dr. I. M. Wise desired to bring this question to a vote already at the time of the Rabbinical Conference held at Philadelphia in 1868 (p. 40 Protokol). There, too, can be found my propositions, in which I endeavored to clearly set forth my opinions relative to this subject. And likewise Dr. Wise's dissertation in the recent issues of the American Israelite is clear, thorough and exhaustive. Nevertheless, I believe it is permitted me to add something further upon this subject.

In "Torath Cohanim" xiii. §12, I read:

היה רבי ירמיה אמר מנין אפילו ע"א ועושה את התורה הרי הוא ככוהן גדול ת"ל אשר יעשה אותם האדם וחי בהם וכן הוא אמר וזאת תורת הכהנים והלויים וישראלים לא נאמר כאן אלא וזאת תורת האדם יי אלהים וכן הוא אמר פתחי שערים ויבאו כהנים ולויים וישראלים לא נאמר כאן אלא צדיקים יבואו בו וכן הוא אמר רננו, כהנים לויים ישראלים לא נאמר כאן אלא רננו צדיקים בה' וכן הוא אמר הטיבה ה' לכהנים ללויים לישראלים לא נאמר כאן אלא הטיבה יי לטובים הא אפילו גוי ועושה את התורה הרי הוא ככהן גדול:

The same in (Sanhedrin 59*a*) in the name of Rabbi Meir, in refutation of the narrow opinion of Rabbi Jochanan היה רבי מאיר אמר מנין שאפילו ע"בום ועוסק בתורה שהוא ככהן גדול שנאמר אשר יעשה אותם האדם וחי בהם כהנים לויים וישראלים לא נאמר אלא האדם הא למדת שאפילו ע"א ועוסק בתורה הרי הוא ככהן גדול:

Further also in Baba Kama 38*a* and Aboda Sara 3*a*, always cited in refutation of the narrow opinion of others.

What, then, is עושה את התורה? In the light of what was declared at the Pittsburg Conference, viz., that (3) To-day we accept as binding only the moral laws, and maintain only such ceremonies as elevate and sanctify our lives, but reject all such as are not adapted to the views and habits of modern civilization. (4) We hold that all such Mosaic and rabbinical laws as regulate diet, priestly purity and dress originated in ages and under the influence of ideas altogether foreign to our present mental and spiritual state. They fail to impress the modern Jew with a spirit of priestly holiness; their observance in our day is apt rather to obstruct than to further modern spiritual elevation. In the light of this declaration, I believe, and have always so held, and upon personal responsibility have always acted in accordance therewith, that the man who gives his

assent to the three following propositions must be regarded as עושה את התורה These propositions are: (1) He who says that he does not believe in original sin, but is convinced of the truth of the words of the Prophet Ezekiel (xviii. 4): "Behold all the souls are mine, as the soul of the father, so also the soul of the son, mine are they; the soul which sinneth, that alone shall die. Also (verses 20 and 32), the soul that sinneth she alone shall die; the son shall not help to bear the iniquity of the father, and the father shall not help to bear the iniquity of the son; the righteousness of the righteous shall be upon him, and the wickedness of the wicked shall be upon him. For I have no pleasure in the death of him who deserveth to die, saith the Lord Eternal, but that he return and live."

And secondly, as a natural consequence, who does not believe in vicarious atonement, but that every person can and should return to God without the intervention of any mediator.

Thirdy, who believes that God, the All-Father, guides and directs the destiny of nations as well as that of individuals; that he has given to every nation a particular mission, the descendants of Abraham, however (Isaiah lx. 3), through their strict moral life, the mission "to become a light unto all the nations," and that he wishes to aid in the furtherance of this mission.

I have always held that such a one must be looked upon as עושה את התורה and is regarded before God as the equal of the high priest. Now can it be expected of him, in order to take part in the synagogue life, that he accept as an indispensable condition "the sign of the covenant אות ברית as it is called in the Bible (Gen. xvii. 11), and not ברית covenant — only? Aside from the above declaration at Pittsburg, "that every ceremony which does not serve as a means of lifting us up to God has lost its binding force for us," we are of the opinion that he who is not a descendant of the seed of Abraham ought by no means be bound to submit to this rite. And indeed it is just because Antiochus Epiphanes and Hadrian put the death penalty upon the execution of this ceremony, so that the Jews gave up their lives on account of it מסרו נפשם עליה and because Paul proclaimed the false notion — false and un-Jewish — that this sign is the indispensable condition without which none can become a Jew, that this notion passed over to the Jews and was accepted by them without examination.

The Talmud knows nothing of this un-Jewish conception of the subject. Aside from the fact that in the case מת אחיו מחמת מילה

the ceremony dare not be undertaken at all, and still these do not cease to BE Jews, the Talmud expressly says (Kiddushin 29*a*) האב חייב למולו The father is bound to circumcise him, and if he does not perform the act he has trespassed a מצות עשה for which there is no penalty מהיכא דלא מהליה הלי אבה מיחייבי בי דינא למהליה ליה מהיכה דלא מהליה בי דינה מיחייב איהו למימהל נפשיה And this, too, is only transgressing a commandatory law, for which, according to Gen. xvii. 14, כרת is decreed, in regard to which Maimonides remarks: נתאלם מבית דין ולא מלו אותו כשיגדל הוא חייב למול את עצמו וכל יום ויום שיעבור עליו משיגדל ולא ימול את עצמו הרי הוא מבטל את כסף משנה which מצות עשה אבל אינו חייב כרת עד שימות והוא ערל במזיד explains Mil. i. 2). ודעת רבינו שאינן מתחייב כרת למות בקיצור שנים לפו שלא עבר עדיין על המצוה שהרי בידו למול עצמו עד שימות.

Therefore it can not even be regarded as Talmudic that only through the acceptance of this sign can one who is the offspring of a Jewish mother become a Jew. But how is it in regard to the children born of this נכרי after he had embraced Judaism? Now, in accordance with the principle המל ימול ye shall surely circumcise (Aboda Sara 27*a*) vide Rashi ibid., he is not at all in duty bound to carry into effect this ceremony. We have no בית דין that has the right to interfere with family matters. Therefore it must be given over to the children to decide for themselves, when they have grown older. Of course, this holds good only when the mother is born a Jewess, or became one before the birth of the child. We deny to no Jew the privileges of the synagogue, even though he openly on the Passover feast eats unleavened bread, or if on the day of Atonement "he does not afflict his soul." And still the punishment of כרת does not follow in that instance after death, but immediately. (Exodus xii. 15; Lev. xxiii. 29.) And should we, then, deny to any one these privileges who is subject to this punishment only after death, or perchance subject not at all?

Following out the principle found in (Jebam. 45*b*), אלא מקרב אחיך כל משומות שאתה משים אל יהו

Out of precaution, I would not like to give the right of vote to such an one in the management of congregational matters. In my congregation there are many seat-holders; they have all the rights of members, only they are not allowed to vote for the officers and can not be elected as such, and feeling satisfied that the members will conduct matters satisfactorily, they do not consider themselves wronged because of this restriction.

How about the reception of females as proselytes? For the so-called ritual bath the Talmud gives no other reason than that of (Jebam. 46*b*):

דאם כן במה נכנסו תחת כנפי השכינה:

In fact, and I have in another place called attention to it, all ceremonies concerning the reception of proselytes the Talmud (Jebam. 47*b*) derives from (Ruth i. 16ff). Up to this point, then, Ruth was not a Jewess and had not become a proselyte to Judaism. But her marriage to a Jew, even before her change of religion, is expressly (iv. 6, 10) regarded as right and religiously valid.

Why should not the declaration as stated above in reference to a man hold just as good in the case of a woman?

My proposition, then, is: That a non-Jew who has openly made declaration of the above three statements is entitled to take part in all the affairs of congregational life.

DR. SAMUEL HIRSCH.

THE OPINIONS IN THESE PAPERS.

A careful perusal of all these papers resulted in the undoubted information that all but two of the authorities mentioned are in favor of discontinuing the practice (בשב ואל תעשה) of circumcision of adult proselytes; while several are in favor of retaining the practice of the ritual bath טבילה. Dr. Schreiber, in his epistle to Dr. Berkowitz, adds to the former a respectable number of European authorities, and the reprints from denominational journals swell the number of the former considerably.

The two authorities opposed to the discontinuance of the rites are Professor Dr. Mielziner, from the rabbinical standpoint, and the Rev. Dr. Schwab, also from the Biblical standpoint. The latter, however, admits (Y. B., p. 83): "If any changes in the mode of admitting them (proselytes) have to be made, *it must*, we propose, be done on the independent account of that modern American reform Judaism desirous of it. * * * But it must not be attempted under cover of a relative authority from the so-called rabbinical age."

The difference of opinion in regard to the ritual bath (טבילה), and the high respectability of the negative side in regard to circumcision (מילת נרים), necessitated your committee to reinvestigate the entire subject, with the following results:

THE UNION OF ISRAEL.

The foundation of Judaism is in the Pentateuch. This is historical Judaism. Its provisions and teachings may be differently expounded, reduced to practice, applied to meet emergencies, according to different places, ages and circumstances—honest, free thought is a privilege of man older than all literary works—without disturbing the unity of Judaism. As long as any person or any body of persons base their actions upon the Pentateuchal provisions and teachings, however understood and expounded, in all sincerity and good faith, they stand within the union of Israel, the historical unity of Judaism. The various phases of Judaism in the prophetical time, in the Hebrews' Second Commonwealth, in the *Tanaim*, *Amoraim*, *Saburaim* and *Gaonim* periods in Palestine, Persia and Alexandria; in the philosophic, rationalistic, rabbinistic and kabbalistic times of all succeeding ages, are no more than the garments of the same body, more or less justifiable in their respective times and places, or perhaps every one legitimate at its time, anyhow in as far as based upon the Pentateuch provisions and teachings. It follows, therefore, that American Judaism, being one of these historical phases, is no less in union with Israel and in unity with Judaism than any of its other phases ever was, as long as it bases upon the Pentateuchal provisions and teachings. This is to say that American Judaism remains in unity with Judaism in general as long as it adheres to the provisions and teachings of the Pentateuch, even according to our own construction.

THE PENTATEUCH PERMITS THE RECEPTION OF PROSELYTES.

The first preliminary question, then, must be whether the Pentateuch ordains or even permits the reception of proselytes from the midst of the non-Israelites. We know that the Thorah permits to receive proselytes from among the Gentiles.

1. Deuteronomy xxiii. 4, it is ordained "An Ammonite or Moabite shall not enter into the congregation of the Lord; even to their tenth generation shall they not enter into the congregation of the Lord forever." The Ammonites and Moabites, the descendants of Lot and his daughters, according to Genesis xix., were two petty nations southeast of Palestine. These only and no other nationality is "forever" debarred from entering the congregation of the Lord. This naturally involves the permission of the Thorah to receive proselytes from the midst of other nationalities. The rabbinical expounders understand this prohibition to refer only to the males

of Ammon and Moab and not also to the females, on account of the fact in the book of Ruth that the royal family of David descended from a Moabitish woman; and refer the prohibition to intermarriage only, an Ammonite and Moabite shall not be permitted to marry a daughter of Israel. (See *Rashi*, *Ramban* and *Targum Yerushalmi in loco cit.*) The law, however, was understood in the Talmud (*Berachoth* 28*a* יהודה גר עמוני) to the effect that no male proselytes from Ammon and Moab shall be received in Israel. Therefore it proves that the Thorah permits to receive proselytes from every nationality, race and tribe except those specified, and is neither racial nor tribal in its provisions.

2. Numbers xv. 15: "The congregation (as a religious body) hath one (and the same) statute for you and the *Gair* (גר) that dwelleth (permanently) with you; it is an ordinance forever in your generations; as ye are, so shall be the *Gair* before the Lord." The word *Gair* occurs fifty odd times in the law of Moses, and always signifies the non-Israelite who associated himself permanently with the Israelites. The Law guarantees to him all rights and privileges of the native Israelite (האזרח). He is included in the general law of humanity, "Love thy neighbor as thyself" (Leviticus xix. 19), as is specifically stated in verses 33 and 34: "And if a *Gair* sojourneth with thee in your land, ye shall not vex him. The *Gair* that dwelleth with you shall be with you as one born among you, and thou shalt love him as thyself," etc. This is repeated emphatically in Deuteronomy x. 19; preceded by the statement that God loves the *Gair*, it is enjoined "And ye shall love the *Gair*."

Although this covers the whole ground of man's natural rights, claims and privileges, yet the Law specifies in numerous instances what should be done for the *Gair*, or also what he should do to exercise these rights and privileges. Thus, in all ordinances concerning alms to the poor, benefaction and assistance to the needy, recognition and protection by the administrators of the law, taking part in the ritual sacrifices of thanksgiving, rejoicing or atonement, and all services of the priesthood to the people, the *Gair* is mentioned especially to equal rights and claims wtth the native Israelite. This entire negation of all racial, tribal or other limitations of human rights is extended to, or rather outdone, in the case of the fugitive slave: "Thou shalt not deliver unto his master the servant which is escaped from his master unto thee. He shall dwell with thee, even among you, in that place which he shall choose in

one of thy gates, where it liketh him best; thou shalt not oppress him." (Deut. xxiii. 16, 17.)

To the best of our knowledge there never existed and there does not now exist any code of laws in any country with such provisions to protect, naturalize and assimilate the alien, the foreigner, the stranger, the *Gair* with the dominant nation, which so carefully enjoins respect for the dicta of humanity and justice. It seems, therefore, that the Thorah invites non-Israelites to come and associate themselves with Israel. It holds out inducements to the alien, not of the seed of Abraham, which at that time no people at all offered to one not of their kin, and even now the most enlightened nations offer with considerable limitations. There can be no doubt that the Pentateuch permits the reception of proselytes from all races and classes of men. That the prophets after Moses cherished this idea and predicted its universal success and realization, is evident from passages of the prophetical and psalmodic scriptures. We only need to read, in order to be convinced thereof, Isaiah ii. 1–4; lvi. 6, 7; Micah iv. 1–5; Zachariah xiv. 9, 17–21. Still, with all that, there is no commandment in the Law and no suggestion in the prophets to enjoin upon any man the duty to go forth and to make proselytes among the gentiles. The fundamental literature of Judaism only permits and favors the reception of proselytes, but ordains nowhere that this should be done by any person.

THE THORAH PRESCRIBES NO INITIATORY OBSERVANCE AT ALL FOR THE PROSELYTE.

If one takes into consideration the particular care which the Pentateuch bestows upon all particulars of man's private and public life and his manifold relations to God and man, providing general and special laws, ordinances and statutes for almost every doing of man. If in connection herewith we furthermore take into consideration that the same Thorah legislates as carefully and humanely for the protection, benefit and well being of the foreigner, stranger, alien of any kind, and evidently holds out most liberal inducements to the *Gair* to come and affiliate himself with the congregation of Israel, hence the coming in of such *Gairim* was certainly sanctioned and expected by the law-givers. In consideration of all this, it must appear strange that the same Thorah prescribes no initiatory observance at all for the incoming proselyte, no law, no ordinance, no provision whatever as to what the proselyte must do or what

must be done with or for him to make of the pagan a member of the congregation of Israel. The argument *e silentio*, basing on the absolute silence of the Thorah on this point, would induce the common-sense reasoner to the conclusion that the author of the Thorah wanted no initiatory observances imposed on the *Gair*; the declaration of an honest man that he is a monotheist in good faith and in perfect harmony with Israel's doctrine and canon, should be all sufficient. So, indeed, Jomtof Lipman Muehlhauser in his *Sepher Nizzachon* to Genesis xvii. 10 (Hackspan edition) expresses himself, אין האמונה תלויה במילה אלא בלב ו'נ "Faith in Judaism depends not on circumcision; it depends on the heart." In the same sense the great Rabbi Eliah Mizrachi in his *Sepher Mayim Amukim* (Response No. 27) expresses himself in regard to the acceptance of a proselyte, ומדאוריתא סגיא בקבלת תורה בפני בית דין בלבד "According to the Thorah, the acceptance of the Thorah before a college of three is all-sufficient" Still clearer, and to the same effect, Rabbi Jehudah Aryeh di Modena in his book, *Bechinath Hakkabbalah*, expresses his opinion like Eliah Mizrachi.

But we do not propose to depend on any argument *e silentio*. We only wish to establish the fact that the Thorah prescribes no law, ordinance, statute, or any provision in any other form, for the modus of accepting a proselyte into the congregation of Israel, from which it follows that none of those rites are law of Moses (מדאוריתא), hence could be but rabbinical law (מדרבנן); and in this point we have in our favor the whole rabbinical literature, as we shall see instantly.

We open the Rabbinical Code by Moses Maimonides and read in *Hilch. Melachim* x. 7:

המילה נצטווה בו אברהם וזרעו בלבד שנאמר אתה וזרעך אחריך ו'נ והם חמחויבין במילה

"Circumcision was commanded to Abraham and his seed only, as said Genesis xvii., "Thou and thy seed after thee, * * * and they are obligated to circumcision." This decision of Maimonides (See *Kesef Mishnah*) is based upon the Talmud, Sanhedrin 59, to which we will refer below. The same is the case with a former paragraph of Maimonides (Ibid. viii. 10):

משה רבינו לא הנחיל את התורה והמצות אלא לישראל שנאמר מורשה קהלת יעקב וכל הרוצה להתגייר משאר האומות שנאמר ככם כגר אבל מי שלא רצה אין כופין אותו לקבל תורה ומצוה

"Moses bequeathed the Thorah and the Commandments to Israel only, as said (Deutr. xxx. 4), 'an inheritance of the congregation of Jacob,' and any one of the Gentiles who of his free will wishes to embrace it, as said (Numb. xv. 15), 'Like you is the *Gair*'; but none shall be coerced against his will to embrace the Thorah and the Commandments."

Herewith the principle in regard to the Abrahamitic rite is laid down once for all; circumcision is ordained in the Thorah for the children of Abraham only. Every father in Israel (not also the mother) has the duty to circumcise, or have circumcised, his son on the eighth day after his birth. If the father failed to perform this duty — the rabbis add — it devolves on the uncircumcised son every day of his life to fulfill the commandment; if he also fails, the *Beth Din* may enforce it. Whoever is not of the seed of Abraham certainly is not charged with this duty, and the *Gair* is one not of the seed of Abraham, one who attaches himself to the congregation of Israel as a monotheist, in perfect harmony with Israel's doctrine and canon. Hence (מדאוריתא) he is a *Gair* (see also Exodus xii. 48), without submitting to the Abrahamitic rite, or even to *Korban* and *Tebilah*.

It is legitimate to infer from the various statements of the Thorah concerning the equality of the *Gair* and the native Israelite that he — whenever he has become a *Gair* — is identified with the seed of Abraham. Therefore it is established custom to call the *Gair* in all sacerdotal matters בן אברהם אבינו ע"ה "son of our father Abraham." This is stated expressly and explicitly by Moses Maimonides in his epistle to the learned and very distinguished proselyte, Obadiah, of Palestine, who asked him whether he, the *Gair*, should say in his prayers, אנרת תשובות ר"מ"ב"ם) אלהינו ואלהי אבותינו Prague, Gersoni edition, 1726, p. 58*b**), viz., that all persons to the very end

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*עיקר הדבר שאברהם אבינו הוא שלימד כל העם והשכילם והודיעם דת האמת וייחודו של הקב"ה וביעט בע"ז והפר עבודתה והכניס בנים רבים תחת כנפי השכינה ולמדם והורם וצוה בניו ובני ביתו אחריו לשמור דרך ה' כמו שכתוב בתורה כי ידעתיו למען אשר יצוה את בניו ואת ביתו אחריו ושמרו דרך ה' וגו' לפיכך כל מי שנתגייר עד סוף כל הדורו' וכל המייחד שמו של הק"בה כמו שהוא כתוב בתורה תלמידיו של אברהם אבינו ע"ה ובני ביתו הם כלם והוא החזיר אותם למוטב כשם שהחזיר אנשי דורו בפיו ובלמודי כך החזיר כל העתיידם להתגייר בצואתו שצוה את בניו ואת ביתו אחריו. נמצא אברהם אבינו ע"ה הוא אב לזרעו הכשרי' ההולכי' בדרכיו ואב לתלמידיו והם כל גר שיתגייר

of all generations, who profess monotheism as it is written in the Thorah are of the disciples of our father Abraham, they and all their descendants. * * * This shows that Abraham, our father, is the father of his faithful descendants that walk in his ways, and the father of his disciples, and these are all the proselytes.

All this, however, does not say that the *Gair* should be circumcised; it merely says that he, after he has become a *Gair*, has also become an Abrahamite; consequently has the same duty to have his sons circumcised as the Abrahamite must do חייב אדם למול את בנו

EVIDENCE FROM THE ESTABLISHED MOSAIC COMMANDMENTS.

The same is evident also from all rabbinical authorities specifying the six hundred and thirteen (or eleven) commandments of the Mosaic law. None of them, neither the followers of *Halachoth Guedoloth*, like *Sepher Mitzvoth Gadol* and *Sepher Mitzvoth Katon*, who count some rabbinical laws among the six hundred and thirteen; nor the followers of Moses Maimonides, like Nachmanides (with some amendments השגות), Aaron Halevy in his *Sepher Hachinuch*, all of them down to Moses Galanti's אלה המצות (Amsterdam, 1713) and Israel Landau's חוק לישראל (Prague, 1798), who count among the six hundred and thirteen only those expressly stated in the Pentateuch, and call all laws contained in the Mishnah and Talmud rabbinical, as stated in his *Sepher Hamitzvoth* (2 *Kelal*) and twice in his responses* — none of them count among the Mosaic commandments any of the initiatory observances for the proselyte as being ordained in the Thorah. The former class of authors, indeed, contain among the commandatory laws, מצוה על בית דין למול הגרים שנתגיירו to which is added in *Sepher Charedim* ענף מצוה "not of the six hundred and thirteen" (vii. p. 29*b* in the Venice, 1601, edition). In Hirsch Jost's *Kizzur* S. Ch., is added בארץ ישראל. (Edition Fuerth, 1849, p. 42.)

This tells plainly enough that these initiatory observances are rabbinical ordinances, and according to this it becomes the duty of the *Beth Din* "in Palestine," and not outside thereof -- having no jurisdiction — to have the *Gair* circumcised; but the *Gair* himself, also according to those rigid rabbinists, has not the duty to be circumcised. All this, we feel convinced, proves beyond doubt that the Thora ordains no initiatory observances for the *Gair*, and so from this standpoint of canon law the cause before us would be

*אגרת השובות הר'מ'ב' Gersoni edition, Prague, 1726, p. 24*b*; also פאר הדור Response 144, Amsterdam edition.

decided. But one of the papers before us (Dr. Schwab's), discussing the matter in an extra judicial method, is intended to controvert this our argument, and must therefore be taken into consideration. Our position opposite that of Dr. Schwab is simply this:

These initiatory observances for the *Gair*, in order to be obligatory, must be canon law, and this is with us statutory, the existence or non-existence of any particular statute must be proved by documentary evidence, and by no other logical or historical argument. Our canon law, according to all rabbinical authorities, consists of the six hundred and thirteen Mosaic commandments. All kinds of proofs attempted to show that such law or custom existed at some time and place amount to a mere probability, and not to a certainty, of the existence or non-existence of such statute; hence it is not canon law. Therefore the authorities mentioned above accept no rabbinical enactment, deduction or induction from the Thorah as canon law. It is the method of Dr. Schwab's argument in this connection which makes his conclusions illegitimate. We must analyze some of his positions to establish our own.

Dr. Isaac Schwab (Year Book 1891–92, p. 69) states at the outset "it can not be questioned that since immemorial antiquity the initiatory rite (of circumcision) was insisted on in Israel as an indispensible requisite for the complete admission to their community of Gentile aspirants." * * * "And it may be safely asserted, too, that from the early period of Jacob's sons to the latter of Israel's Second Commonwealth, no Israelitish authority has ever relaxed that stern demand. The insistence of the Abrahamitic rite for the formal entrance into the congregation of Israel—Kahal—was the rule laid down immovably and observed conscientiously throughout all ages by our ancestors of the East, who adhered faithfully to the belief and worship of God" (p. 70).

The position of our learned colleague is definite, clear and apodictic. No commentary is necessary. However, he maintains in advance that he forms his conclusions "with the aid of historical data" (p. 69), and this is exactly the point which makes his position untenable. For if he did succeed in producing such data, demonstrating the assumption advanced—which he actually did not as we shall instantly see—it could but prove that at a certain time, in a certain place and under such and such circumstances, there was insisted upon submission to the Abrahamitic rite by the Gentile aspirant to enter the congregation of Israel. No amount of such data could establish the fact that the Thorah, Moses or the

prophets, at any time or anywhere ordained, commanded, enacted or in any other manner imposed on Israel such and such initiatory observances for the Gentile convert. As long as this fact is not established those observances can not be accepted as Biblical ordinances, ▪ commanded in the Law (מדאוריתא); hence they are not necessarily integral portions of Judaism. The question is not, what certain persons at certain times have done—they may have acted on their own responsibility, guided by their own convictions or opinions—the question is, what are we, as Israelites, commanded to do, what is canon and what is not so.

Let us see how the rabbis of the Talmud reason on this proposition.

1. In the *Gemarah* and *Kelalei Haggemarah* it is laid down as an established rule דברי תורה מדברי קבלה לא ילפינן "The words of the Law (in Pentateuch) must not be construed by the words of tradition.' The term *Kabbalah* in this connection includes all post-Mosaic scriptures as well as all narrative portions in the Mosaic books. No law can be based on or derived from any narrative and dignified as a law of the Thorah (מדאוריתא), which specifically ordains, "Ye shall not add," etc., to the Mosaic laws. This rule is certainly a wise one. If it be considered legitimate to derive from narratives, "historical data," any canon law, commandment, ordinance or statute, these would become as boundless ▪ all products of phantasy. One would derive from the story of Adam and Eve's sin and punishment that every sinner must be expelled from house and home, even if it was a paradise. Another would deduct from the story of Noah and his son Ham's misdeed, that in similar cases not only the son but also the grandson must be punished and cursed. Again, another might derive quite a number of ugly laws and ordinances from narratives in Numbers xxxi. Joshua vii., Judges xi. or xix., 1 Samuel v. and vi., 2 Samuel xxi., 1 Kings ii., and many more "historical data." The fact is, no historical data can be turned into Mosaic law. But the question before us is whether the initiatory observances for the proselyte are or are not ordained in the Thorah.

2. If Dr. Schwab holds, as one might understand by inference, whatever follows with logical necessity from historical data or the words of prophets recorded in Holy Writ must have the same canonic force as the commandment of the Thorah; it is anyhow כעין דאוריתא similar to Mosaic law, concerning which it is maintained in the Talmud חביבין דברי סופרים יותר מדברי תורה "The

words of the scribes are more precious than the words of the Thorah;" we can disabuse his mind by first class authority,* especially by the rule laid down by Moses Maimonides. He advances in his *Sepher Hammitzvoth* fourteen rules, by which to ascertain what is intended in the Pentateuch as canonical law. The second of these rules reads literally, not to count among the 613 Mosaic laws any derived from the Thorah by means of the thirteen hermaneutic rules on which the rabbinical law is based. He explains this rule more at length in an epistle addressed to Rabbi Pinchas ben Meshullam. He says there that no law or ordinance in Mishna, Beritha or Talmud, not even the so-called *Halacha l' Mosheh Missinai*, none at all not explicitly stated in the Pentateuch, can be called דין תורה "canonical law"; it is all דברי סופרים "rabbinical law," unless, as is the case in three or four instances only, it is expressly stated in the Talmud that this law is canonical and not rabbinical (see *Iggereth Theshuboth* by M. Maimonides, Prague, 1726, Gersoni edition, page 24*b*). It is evident, therefore, that all and also the most convincing speculation on historical data or an expressed law can not produce for us a canonical law; hence the initiatory observances for the proselyte can not possibly be canonical (מדאוריתא).

But our learned essayist fails to produce historical data to support his position. He begins with pointing to Genesis xxxiv., the story of Sichem and his people, massacred by Simeon and Levy, after they had submitted to circumcision as the condition of entire parity. This piece of vile strategy, which Jacob upon his death bed yet denounced (Genesis xlix. 5, 7), could hardly be accepted as a testimony for anything of a religious and moral character. If Simeon and Levy treacherously said so to the Sichemites, it does not prove that it was so.

However, we need not argue from this standpoint to invalidate the demonstrative force of the historical data cited, including also Exodus iv. 24. In the *Gemarah* and *Kelalei Haggemarah* also this established rule is laid down אין מביאין ראיה ממקרא שנכתב קודם מ'ת "No proof (for a law) can be brought from scripture written prior to the Sinaic revelation."†

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*For instance אין עונשין מן הדין; or in *Siphri, Shophlim* 154 אין חייבם מיתה על דברי סופרים.

†See also *Tosefoth* in *Moed Katon* 20*a* מה, and Yerushalmi ibid. 111, 5, הכל מודין שאין לומדין ולמידין דבר קודם למתן תורה נתמיה מן המעשה; ibid in Peah ii.; see also *Sepher Kerisoth* iv. 14.

This story is reported to have transpired prior to the Sinaic revelation. It is evident, if it had any demonstrative power, which *prima vista* it has not, it could prove nothing in matters of canon law; and the matter before us is one of canon law. We are obliged to abide by this rule, or else we could prove from Abraham and Sarah that it is lawful to take in marriage his half sister (Genesis xx. 12); or from the case of Jacob that one may take in marriage simultaneously two sisters; or, as from the story of Jehudah and Thamar (Genesis xxxviii.) many other things which the law of Moses prohibits.

Dr. Schwab then states: "As far as we can judge from extant history there never was before the apostle of the Gentiles, Paul, a Jewish authority that doubted the indispensable obligation of the initiatory rite upon any convert from paganism, who wished to become totally assimilated to the Israelites as to all communal and spiritual claims." This *e silentio* argument might have some value if it would not stand opposite the stubborn fact that besides Exodus xii. 48 and Joshua v. down to Hyrcan (end of second century B. C.) not a word of law, history or otherwise, exists in all Jewish literature regarding the initiatory rites of a pagan or any other man to embrace Judaism. It is, therefore, just as proper and legitimate to conclude from their complete silence on this point down to two centuries before the fall of Jerusalem, that no such or other initiatory rites were established or existed at all—we will attempt further on to prove that nothing was fixed in this matter even after the fall of Jerusalem—anyhow this argument *e silentio* is as forcible as Dr. Schwab's.

Paul's work done among the Gentiles does not concern us here, especially not in regard to the Abrahamitic rite, as he, in the earlier days of his ministry, denounced the entire law and circumcision fiercely, and later on he praised both, and not only ordained the enforcement of the law in a case of adultery, but always argued from it, especially in the case of his and his assistant's wages. We only take exception to the conclusion that circumcision of proselytes must have been the common practice among Israelites, because the apostles insisted upon it and Paul opposed it. This rather appears to prove that there was nothing fixed or established in Paul's time about the initiatory rites of proselytes. And the general difference of opinion in the matter existed also in the apostolic church. Paul was a stern Pharisee and remained steadfastly upon this platform, to which he added but one plank, viz., the Messiah has come,

the last judgment is on hand; consequently, the laws and commandments are no longer obligatory, just as the Pharisees maintained to be the case לעתיד לבוא.

The next passage to which Dr. Schwab and all others point is Exodus xii. 48, e. s., where all of them suppose to find an express prohibition for the *Gair* to eat of the Paschal lamb until circumcised. In the papers before us different arguments *pro* and *con* are based upon this Pentateuchal ordinance which, strange to say, according to rabbinical interpretation, might be understood to the contrary, viz., that one is a *Gair* without being circumcised. We point to *Mechilta* to Exodus xii., Talmud *Pesachim* 28, *Targumim* Onkelos and Yerushalmi, *Rashi* and *Ramban* in the same place. According to these expounders of the Law בל בן נכר, in verse 43, signifies that no Hebrew renegade should be permitted to eat of the Paschal lamb; וכל ערל in verse 49, that no uncircumcised Hebrew should be permitted to eat of it. So the two *Mitzvoth* are invariably stated in ת"ר. The exclusion in both cases refers to the sons of Abraham only, to those who are commanded in Genesis xvii. 9–14, to be circumcised. The rabbis were evidently led to this interpretation of *Ben Nechar* and *Wechol Arel* by the fact that *Milath Guerim* is ordained nowhere in the Thorah; and by the other fact that in Deuteronomy xvi. 1–8, the whole ordinance of the Passover is repeated with several additions, without any reference to circumcision, so that the passage in Exodus may be understood to refer only to *Pesach Mizrayim*. The passage in Exodus referring literally to the original commandment in Genesis tells us in verse 44 that this is not a racial or tribal commandment, for the slave bought for money if circumcised, and thus belonging to the household of the Hebrew as a member thereof, may eat of the Paschal sacrifice. In verse 45 we are informed that the *Thoshab* and the *Sachir*, the transient alien (or according to Ibn Ezra, also the transient Israelite) persons belonging to no Hebrew family (see xii. 3) shall not be permitted to eat of this sacrifice. Verse 47 expresses the commandment that all the congregation of Israel, or all who belong to the congregation, "shall make it," viz., have the duty to make the Paschal sacrifice, while the *Ebed*, *Thoshab* and *Sachir* are not commanded to do so. And now in verse 48 we come to the "*Gair*, who dwells with thee permanently." He is no *Ebed*, no *Thoshab* and no *Sachir;* he is evidently a real *Gair*, who has the duty to make the same sacrifice (compare יעשו and ועשו), but he is not circumcised; hence a man is a *Gair*, even if he is not circum-

cised. He is not forbidden to eat of this sacrifice as are *Ebed*, *Sachir* and *Thoshab*. It is not said of him לא יאכל בו "he should not eat of it."* As a *Gair* he has the duty not only to make this Paschal sacrifice, but also to have his children, servants, etc., circumcised, as commanded in Genesis xvii. If he wants to perform this Paschal duty like the native Israelite, he must do it in his family and household (Exodus xii. 3, 4). By being himself a *Gair* he has not established a family and household in Israel, as long as he has not performed his first paternal duty as an Israelite, viz., to circumcise his sons. Therefore, verse 48 says: "And if a *Gair* dwelleth with thee, and he wisheth to make the Passover (like other Israelites), let all his males be circumcised, and then let him come near to make it, and he will be like the native of the land, although the uncircumcised Israelite dare not eat of it (וכל ערלאי דבר ישראל Targum Yerushalmi); because that Israelite is commanded and the *Gair* is not commanded in the Thorah to be circumcised; but being a *Gair* he is subject to the same Thorah and enjoys the same rights and privileges as the native Israelite (verse 49). Anyhow, no unprejudiced reader of the Pentateuchal passage can get over the plain statement, that one is a genuine *Gair* before he is circumcised.

Dr. Schwab argues furthermore, (Year Book, p. 71), "The statement repeated several times in the Mosaic code, that one law should govern the native and the stranger (*Gair*), can literally mean nothing else than that a foreigner, settled in a Jewish land, should be bound to live up in all respects to the same laws as the Israelites have to observe." The two other points which Dr. S. makes on the same page have been controverted above.

The repetition of the same provision with certain special laws, we think, rather proves on the hermeneutic rule of שני כתובים הבאים כאחד that this provision applies to these particular laws only, and could not be extended to any other law. If the Thorah had intended to ordain that the *Gair* must observe all laws like the native Israelite, it would have ordained so once for all, and repeated the same only where some new point in this connection was to be suggested. As the matter stands now, we can only apply it to the particular cases mentioned in the respective law or laws. Besides, it is evident from the Thorah that the *Gair* was not expected to perform all ceremonial laws like the native Israelite. He was not for-

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*אין מילת זכרים מעכבתו מלאכול (In Yalkut it is Rabbi Akiba) ר' יונתן אמר בפסח. *Mechilta in loco cit.*

bidden to eat *Nebelah* (Deut. xiv. 21) or *Guid Haannasheh* (Genesis xxxii. 33); therefore it is stated especially in regard to eating blood, that the *Gair* also shall abstain from blood. If all dietary laws had been intended for the *Gair*, this particular provision concerning the eating of blood would be entirely superfluous. The *Gair* is exempted from dwelling in booths during the feast of tabernacles. The Thorah ordains כל האזרח בישראל ישב בסכות (Leviticus xxiii. 43). This however, might lead one to premise that he is exempted also from rejoicing on the festivals, therefore, it is mentioned explicitly (Deut. xv.) that this is not the case. It is evident from those very provisions that the *Gair* was expected to observe all the moral laws like the native Israelite, also all the laws concerning the altar and the sanctuary, also Sabbath and Day of Atonement, together with all the national holy days; and in all other respects the Thorah commands the Israelite only what he should do for the *Gair*, what privileges are especially granted and what protection the nation or congregation owes to him; all of which is plainly contained in the main law, "Ye shall love the *Gair*," and "Thou shalt love him like thyself." It is correct, therefore, what is stated in *Mechilta* and *Siphri*, בא הכתוב והשוה את הגר לאזרח בכל מצות שבתורה "Scripture declares the equality of the *Gair* with the native Israelite in all commandments of the Thorah," we must only understand the והשוה as its actual signification is לזכות and not לחובה viz.: the *Gair* enjoys all rights, privileges and promises of the Thorah without being expected to submit to all ceremonial laws and ordinances as the native Israelite should.*

Aside of all this argument and independent thereof, Dr. Schwab's premises bear no relation to the case before us. He discusses the duties of the *Gair* after he has entered upon that state of obligation; after he is a *Gair* he must do so and so. Nobody doubts that with the new faith he embraces, he accepts also new duties. The question before us, however, is of an entirely different nature. We ask, what must a person do, or be done for him, to make him a *Gair?* Must he pass through certain observances or initiatory rites, and is circumcision one of them? It is only after this question is solved that the other comes up: what must the *Gair* do as a member of the congregation whose faith he embraced? Our main question is decided, that according to the Thorah, also as the Rabbis of the Talmud and the compilers of the 613 Pentateuchal command-

* See also Ibn Ezra to Leviticus, xix. 1.

ments understand it, no initiatory rites at all are prescribed; hence the decision of Rabbi Eliah Mizrachi.

(Year Book, p. 67): ומדאוריתא סניא בקבלת תורה בפני ב'ד' וגו' "According to the Thorah, the main declaration before a college of three to accept the Thorah as the canon, suffices for the proselyte (to receive him into the congregation of Israel) also, without circumcision and without the ritual bath."

It must be admitted (ליכא מאן דפלג) that the initiatory rites in question are no canon law, are ordained nowhere in Holy Writ, are not מדאוריתא. This, as far as the legality of setting aside these rites, בשב ואל תעשה, is herewith decided for this body, whose declared standpoint is the historical and not the one-sided rabbinical legalism, especially in the case of שב ואל תעשה, when also the rabbinical casuists admit

יש כח ביד בית דין לעקור דבר מן התורה בשב ואל תעשה

IT CAN NOT PROPERLY BE CALLED RABBINICAL LAW.

Still there are among the papers referred to us two, one by Professor Dr. Mielziner and the other by Rabbi Dr. Schwab, from which it appears, although not stated expressly, that these initiatory rites are rabbinical law (מדרבנן); on the strength of which the *Amoraim* adopting in the Talmud (Sabbath 137*b*) a passage from *Tosephta* demanding of the *Gair* the Berachah

ברוך אתה יי אלהינו מלך העולם אשר קדשנו במצותיו וצונו על מילת גרים

not because it was presumed that God commanded it, but on the לאו דלא תסור, the *Amoraim* fixed this formula of benediction. So they did with other (מצות דרבנן) rabbinical laws, like נטילת ידים, לקרוא מגילה, לקרוא את ההלל, לשמוע קול שופר, נטילת לולב, קידוש היום בי"ט שני, להדליק נר חנוכה neither of which is commanded in the Thorah. This *Berachah* was not finally accepted in the code before Isaac Alfasi in the twelfth Christian century, because it is evidently a fallacy, as God nowhere commanded the *Gair* to be circumcised, and those *Amoraim* would not permit the Israelite who performs the rite to say this *Berachah*. He is only wanted to say אשר קדשנו במצותיו וצונו על המילה. It is evident, therefore, that those *Amoraim*, like the *Tosephta*, held that מילת גרים is a rabbinical law like מילת אבדים.

The question concerning לאו דלא תסור has not been referred to this committee, consequently we can not discuss it. In this particular case, however, the Talmud Yerushalmi has already decided (*Peah* 2 Perek)

אין לומדין לא מן ההלכות ולא מהגדות ולא מהתוספתא

These *Berachoth* being taken from the *Tosephta*. it does not make them rabbinical law.

WHAT IS RABBINICAL LAW ?

What is rabbinical law, according to rabbinical jurisprudence? The usual reply to this query is, it is law not stated expressly in Holy Writ, and ordained in the so-called oral law, תורה שבעל פה. Here the question arises, where is the origin and authority for this law, or these laws? The answer is this:

1. In *Thekanoth* and *Guezeroth* ordinances, commendatory or prohibitory, ordained by any lawful Sanhedrin or any other authoritative body, or any teacher high in authority, like Ezra and successors, and in this latter case it is most always added ובית דינו "and his court," telling indirectly that no one person was vested with the authority to enact or ordain such law. In the case before us this kind of oral law is entirely excluded. For in all collections before us, down to the works of Zachary Frankel, Jacob Bruell, Isaac Hirsch Weiss and all the others that wrote on the subject, there is no record that at any time a *Thekanah* or *Gezerah* was ordained concerning the initiatory rites of proselytes.

2. *Halachah l'mosheh Hissinai*, a law or rule supposed to have been given orally to Moses from Sinai, or rather a custom, the origin of which is unknown and is not premised in the Thorah. From Maimonides down to the author of *Shenai Luchoth Habberith*, down to the *Yalkut Shimoni* and to Dr. Herzfeld, all authorities that have written on this point, there is no mention of such a *Halachah* concerning these initiatory rites.

3. The *Kabbalah*, "the tradition" in general without any qualification אים קבלה היא נקבל; and

4. Laws based on the Thorah by means of the hermeneutic rules י"ג מדות, the number thirteen of which was fixed by Rabbi Ishmael, to which was added מיעוט ורבוי.

If there is anywhere in the Talmud such a *Kabbalah* or such a *derasha* as named in this 3 and 4, it has not been pointed out to us in the papers before us, and we, with all our industrious research, found none referring to the origin of these initiatory rites. It is therefore no matter of surprise to us (supposed exceptions to be noticed below.)

5. That Rabbi Jehudah Hannassi in his entire Mishnah laid down no rule, ordinance or direction concerning the initiatory rites of the proselyte; but it must be a matter of surprise to those who consider

those rites rabbinical law. Once in Treatise *Kerithoth*, 2 Perek, 1, Mishnah, there is inserted contrary to Rabbi Jehudah's סתם משנה evidently an interpolation — a dictum of Rabbi Eliezer ben Jacob גר מחוסר כפרה עד שיזרק עליו הדם. "The *Gair* is not fully atoned (to eat of the sacrifices) till the blood (of his sacrifice) is sprinkled upon the altar for him or in his name." It is from this passage of doubtful authenticity that the Talmud learns that the *Gair* must make a sacrifice as an initiatory rite; and this was certainly not the opinion of the author of the Mishnah; if it had been, he must at least have given a name to the *Gair's* sacrifice to be *Olah*, *Chatoth*, *Asham*, which he does nowhere, not even in *Esehu Mekoman* (*Sebachim*, 5 Perek).

The passage in *Kerithoth 9a* proves that Rabbi Jehudah Hannassi did not consider the initiatory rites rabbinical law. It says there as a *Berytha* רבי אומר ככם כאבותיכם מה אבותיכם לא נכנסו לברית אלא במילה וטבילה והרצאת דמים אף הם לא יכנסו לברית אלא במילה וטבילה והרצאת דמים.

This was certainly not intended to be *halachah* rabbinical law, or else the rabbi must have stated it in the Mishnah. Besides this, the *derashah* is not one of *halachah*. It is evidently a reminiscence from the school chats on ככם כגר. It is based on no commandment of the Thorah and no tradition; it is a personal and unsupported opinion of the rabbi, which never was intended to be a law, and was therefore not placed in the Mishnah; provided always Rabbi Jehudah is indeed the author of this passage, which at least is doubtful, as the הרצאת דמים is contrary to Rabbis *Setam Mishnah*, and reads as if it should be Rabbi Eliezer ben Jacob instead of plain rabbi; and the Talmud further on refers to him with אמר מר, which is not the usual way of referring to Rabbi Jehudah Hannassi.

This silence of the Mishnah is to us a proof *e silentio* that the author of the Mishnah did not consider those initiatory rites rabbinical law. If Professor Dr. Mielziner points to Beth Hillel's, or, according to another version, Rabbi Akiba's הפורש מן הערלה כפורש מן הקבר, which occurs twice, in ש"ס Pesachim and in *Edioth* v. 2, without having become a law anywhere in regard to the purification of the *Gair*, Dr. Mielziner does not state that it was *Halachah* or a moral opinion, or that the Mishnah takes any further notice of it. And we, with our limited knowledge of rabbinical jurisprudence, can not see how any rite could be called rabbinical law if it is not based upon any of the above four points, and has not the sanction of the author of the Mishnah. That the Beritha and the older Tanaim had knowledge

of the said rites, and yet the Mishnah has nothing to say about them, can but prove that two different opinions on these rites then prevailed, *pro* and *con*, all or any one of them, as is evident also from the disagreement of the Rabbis Joshua and Eliezer on *Milah* and *Tebilah*, to which we will refer again after we have cast a glance on history. Here we will but call attention to Yerushalmi, Peah II., as quoted in *Sepher Kerithoth* iv. 14.

JOHN HYRCAN'S AND HIS SUCCESSOR'S CONVERSIONS.

From the days of Joshua (Joshua v.) to the time of John Hyrcan, high priest and prince in Judea (134–107 B. C.) no record whatever exists of the practice in accepting proselytes. Like Holy Writ, and the Apocrypha, so all other records extant from that long period of history furnish not the least information as to the existence or nature of such initiatory rites. Moses, himself, we are told (Deuteronomy xxix.)—we refer to this as an offset to Rabbi's *derashah* עכם כאבותיכם—made the covenant at the Plain of Moab with an uncircumcised generation (comp. Joshua v.), among whom there was also the *Gair* (Deuteronomy, verse 10), who was certainly not circumcised. This covenant was made "that he may establish thee to-day for a people unto himself, and he may be unto thee a God, as he has said unto thee (including the *Gair*) and he has sworn unto thy fathers" (verse 12); after he had told "this day God has promised thee that thou should be his peculiar nation, the highest of all nations, a holy people, etc." (Deuteronomy xxvi. 16–19), and repeated (Ibid. xxvii. 1, 2), "this day art thou become the people of the Lord, thy God." It is evident that according to this part of history circumcision is not required of the *Gair* in order to enter the covenant of God; and after this all history down to John Hyrcan is entirely silent on this topic.

In his reign, we are told in Josephus, John Hyrcan vanquished the Idumeans, and forced upon them the faith of Judea and circumcision. The same was done by his successors to other conquered tribes. These facts, however, prove nothing in regard to proselytes; for all those conquered nationalities or tribes were of the seed of Abraham, on the one side of the country by Ishmael and Esau, and on the other side by the sons of Keturah, Abraham's second wife (Genesis xxviii. 1–6). Being of the seed of Abraham, they were commanded to be circumcised. This is acknowledged in the Talmud Sanhedrin 59*b*, in regard to the sons of Keturah, but not in regard to the sons of Ishmael and Esau, who, it is maintained there, were

not included in the commandment given to Abraham and his seed after him. The passage in Sanhedrin reads thus:

מילה מעיקרא לאברהם הוא דקא מזהר ליה רחמנא ואתה את בריתי תשמר אתה וזרעך אחריך לדורותם, אתה וזרעך אין אונש אחרינא לא. אלא מעתה בני ישמאל לחייבו? כי ביצחק יקרא לך זרע, בני עשב לחייבו, ביצחק ולא כל יצחק, מתקיף ליה ר׳ב אושעיא אלא מעתה בני קטורה דלא לחייבו האמר ר׳ יוסי בר אבין ואיתמא ר׳ יוסי בר חנינא את בריתי הפר לרבות בני קטורה

This very piece of exegetic nicety in the Talmud, which was without any practical use in that time, is a fragment from the time of John Hyrcan, and tells one of the objections of the Pharisees to John Hyrcan's arbitrary doings, who became in his advanced years a Sadducee; he decreed a circumcision of Edomites and Ishmaelites, contrary to the will and traditions of the Pharisees. John Hyrcan had no right to expound the law or to enact one He possessed the executive power; the judiciary and legislative powers were in the hands of the Sanhedrin, and this body was Pharisean in his time under Joshua ben Perachia and Nittai of Arbella. Therefore there is no proof for the lawful existence of those initiatory rites to be derived from the doings of John Hyrcan and his successors; they forced circumcision upon the seed of Abraham, and in regard to Ishmaelites and Edomites contrary to the then existing highest authority of the law.

But the latter was done by the mandate of the sovereign or the supreme executive, which the Pharisees never acknowledged as a law. No decree of any king ever was considered law in Israel. Herod and his family, however, were obliged to uphold that mandate of John Hyrcan as established law—to the best of our knowledge nobody else did—because first it had become tradition of the court, and secondly because the Judaic citizenship of Herod and his family depended on the legality of John Hyrcan's decree concerning the Edomites. Therefore some of the Herodian princesses would not marry uncircumcised men. With them this was perhaps a condition *sine qua non*, but this does not say by any means that it was law or common custom in Israel. We are entitled to the opinion that it was not, because of the numerous cases of Roman *Gairim* mentioned in the Talmud; the *Yirai Adonoi* mentioned in the later psalms that were neither Israelites, nor Levites, nor Aaronites, who feared the Lord—identical with the "devout Gentiles" of the New Testament; the Roman soldiers that embraced Judaism in Palestine; in all the proselyte stories abounding in Talmud and Midrash

no initiatory rites are even hinted at. Why? We say because none were established.

The story of King Izates plainly shows that there prevailed different opinions in his time on this question, as one advised him to submit to the Abrahamitic rite and the other advised him not to do so, and both were Israelites, believers in the law. Beside, with Izates it was a personal question of conscience and not of formality, or law, to be acknowledged as a believer in Judaism by the congregation. The same is the case with Antoninus and Rabbi Jehudah Hannassi. "Some say Antoninus was and some say he was not proselytized," viz., without circumcision.

The same uncertainty is most strikingly illustrated in the *Pelugta* between Rabbi Eliezer and Rabbi Joshua: one maintains *Milah* alone and the other maintains *Tebilah* alone suffices to make one a *Gair*, and according to another version both agree on *Tebilah* as the condition *sine qua non*. (See Year Book, Mielziner's quotation, p. 97.) How could those two pillars of the traditional law dispute on what was then law and custom in Israel, and all that at a time, when the proselytes were so numerous in Israel that a prayer for them was included in the daily eighteen benedictions (ועל גירי הצדק)? There was nothing certain about the matter, as said, even when the Mishnah was written. The whole question, it appears, originated with John Hyrcan's conversion in Idumea.

THE ORIGIN OF THE INITIATORY RITES.

It appears, therefore, that it was an ancient custom — by no means a law — that the proselyte offer up a sacrifice (*Asham*) in the temple at Jerusalem to atone for his past sins of idolatry, as a token of his repentance and a solemn declaration of his loyalty to Israel's monotheism and canon. This sacrifice might have been a pair of young pigeons, etc., or a little flour (Leviticus v. 14), which, it seems, could be made by proxy, or by another gift to the temple. Foreign proselytes, also from Rome, we know, sent gifts to the temple. This was by no means insisted upon in all cases, as Rabbi Eliah Mizrachi and others maintain that according to the law of Moses a confession before a college of three suffices.

With the sacrifice (*Korban*) there came naturally *Tebilah*, the ritual bath; as the unclean could not approach the altar, he had to cleanse his body first before he offered up his sacrifice. Another kind of ritual bath or baptism is unknown in the laws of Moses

and the rabbis, except טבילת בעלי תשובה, "the bath of the penitent sinner, and this, it appears, had its origin in the cleansing ordinances, for him who was to make a sin offering or a trespass offering. When the sacrifice itself was abolished, the preparatory bath remained for the penitent, as was the practice among the Essenes, who made no sacrifices, but observed scrupulously the Levitical cleansing prescriptions connected with it.

After the destruction of the altar the question arose, what to substitute for sacrifices to make atonement for man's sins. The enlightened rabbis of that age of distress and despair, to which Rab i Joshua ben Chananiah may be counted, taught the people as substitutes for the sacrifices, repentance of sin, prayer, alms-giving, acts of charity, the study of the law, conscientious righteousness, and similar practices of piety and humanity, which, they maintained, were more acceptable to God than all sacrifices. With them, the bath of repentance and the confession sufficed to accept the *Gair* into the fold of Judaism. The more rigorous rabbis of those days, however, were not satisfied with those mild substitutes for the sacrifices, and resorted to the harsher means of asceticism and self-sacrifice. To them — and Rabbi Eliezer was one of them (שמותי) — the mere bath of repentance did not suffice for the proselyte; they demanded a bodily sacrifice, and found this already in the opinion of the followers of the John Hyrcan decree; and so they demanded also *Milah* as a substitute for the proselyte's sacrifice. The custom, however, of demanding both *Milah* and *Tebilah* was certainly not generally established till late in the Amoraim period, and never was a rabbinical law, as none could make one when the Sanhedrin and Tan'aim were no more. It was all a matter of custom, established by the schools and scholastic wisdom, without any underlying Scripture or enactments of the Scribes, Tan'aim, or any other authoritative body.

If anybody holds that we, in this nineteenth century, are bound to uphold, as a matter of religion, customs so and then originated, without any basis in the Thorah, or even in rabbinical law, he must be opposed to the abolition of those initiatory rites. Those, however, who think that customs of that kind are not obligatory for us now, and consider it proper and advisable to dispense with them, have undoubtedly the right to say so and do so, if any authoritative body declares so, without endangering the union of Israel and the unity of Judaism.

SYLLABUS.

Your committee maintains to have established:

1. That there are known in history three initiatory rites for the proselyte to Judaism, viz., the Sacrificial, the Ritual Bath and Circumcision.

2. Neither of these three initiatory rites for the proselyte is ordained or otherwise suggested in the Thorah, Prophets and Hagiography.

3 They appear not in history and literature prior to the conquest of Idumea by John Hyrcan, who decreed circumcision on the Edomites, contrary to law and custom.

4. From and after that time, initiatory rites for the proselyte became customary, but never became canon law, not even rabbinical law proper, and have therefore found no place in the Mishnah; nor were, generally, all three rites considered necessary to every one proselyte; there existed a difference of opinion, as to which rite was necessary, down beyond the last of the Tanaim.

5. After all legislative authority had been defunct, in the time of the *Amoraim*, without any lawful enactment, the two rites—the sacrifice having been abolished—were considered necessary to make a proselyte, but this never did and never could become canon law. It always remained custom (מנהג) without foundation in the Thorah, brought about דבר שבמנין, and the rabbinical rule concerning such custom is דבר שבמנין צריך מנין אחר להתירו. What was prohibited (or ordained) by a vote (not by legislative authority) must be revoked by a vote, viz., when the cause of its existence has ceased. Therefore be it

Resolved, That the Central Conference of American Rabbis, assembled this day in this city of New York, considers it lawful and proper for any officiating rabbi, assisted by no less than two associates, to accept into the sacred covenant of Israel and declare fully affiliated to the congregation לכל דבר שבקדושה any honorable and intelligent person, who desires such affiliation, without any initiatory rite, ceremony or observance whatever; provided, such person be sufficiently acquainted with the faith, doctrine and canon of Israel; that nothing derogatory to such person's moral and mental character is suspected; that it is his or her free will and choice to embrace the cause of Judaism; and that he or she declare verbally and in a document signed and sealed before such officiating rabbi and his associates his or her intention and firm resolve.

1. To worship the One, Sole and Eternal God, and none besides him.

2. To be conscientiously governed in his or her doings and omissions in life by God's laws ordained for the child and image of the Maker and Father of all, the sanctified son or daughter of the divine covenant.

3. To adhere in life and death, actively and faithfully, to the sacred cause and mission of Israel, as marked out in Holy Writ. Be it furthermore

Resolved, That a committee of three be appointed to report to this conference formulas of the two documents, viz., one to be signed by the proselyte and witnesses, to remain in the hands of the officiating rabbi, and another to be signed by the officiating rabbi and his associates, to be delivered to the proselyte.

All of which is respectfully submitted to this honorable body by your committee.

ISAAC M. WISE, *Chairman.*

NOTE.—The two other members of the committee, viz., the Rev. Dr. Landsberg, of Rochester, N. Y., and the Rev. Dr. Adolph Moses, of Louisville, Ky., being temporarily absent from the country, in full agreement on this subject with the chairman, authorized him to write and report this document to the Central Conference.

I. M. W.

REPORT OF THE RITUAL COMMITTEE.

To the President and Members of the Central Conference of American Rabbis:

GENTLEMEN:—In submitting the report of our Ritual Committee appointed by your honorable body in the last year's convention, we beg leave to preface it with a brief retrospect of the proceedings that resulted in the appointment of this, our committee.

At the first convention of the Central Conference held at Cleveland, in the year 1890, several motions were made by members of that Conference to the effect that means be devised for establishing a uniformity in the mode of public and private worship of those congregations and individuals adhering to the reform principles of Judaism.

The committee appointed to consider these motions reported as follows:

WHEREAS, It can not be denied that a demand for a standard Union Prayer Book is prevailing everywhere in the reform synagogues of American Israel; and, whereas, this demand is prompted by the motive and prospect that such a uniformity in our ritual would serve as a powerful magnet to draw together the varying and desperate religious views and sentiments of American Reform Judaism, and serve as an expression of its noblest aspirations. Be it, therefore,

Resolved, That this Conference elect a committee of ten, instructed to submit to the next annual meeting the material for such a uniform ritual for public and domestic service, and that this ritual embody the oldest and essential elements and best parts of our traditional worship by adhering as much as possible to the sacred language and living historic missions of Israel, adding such elements of devotion as are in full sympathy with the advanced and progressive sentiments of the religious thought of to-day, etc.

This committee report was adopted by the convention and a Ritual Committee of ten members appointed with the instructions to submit to the next convention of the Conference material for a Union Prayer-book. As the chairman of that committee was unable to attend the second convention of the Central Conference held at Baltimore in 1891, and no formulated report was presented, a sub-

stitute report containing only outlines of the proposed prayer-book was submitted by one of the members. The Convention resolved that the substitute report be referred to a new committee with instructions to take into consideration, as an intelligent working basis, the sketch-book of prayers furnished by the Rev Isaac S. Moses. It was also the sense of the Conference that the various prayer-books issued by the eminent rabbis of Europe and America be likewise taken into consideration.

The appointed new Ritual Committee consisted originally of the following five members: the Rev. Drs. Sale, Leucht, Heller, Mannheimer, and Mielziner, as chairman. The committee having been empowered to increase their number by a majority vote, the following six members were added: the Rev. Drs. H. Berkowitz, S. Hecht, M. Landsberg, I. S. Moses, D. Philipson and Joseph Stolz.

Through the efforts and influence of the Rev. Dr. Leucht, and the munificence of our co-religionists in New Orleans, our committee was enabled to meet in New Orleans from the 12th to the 15th of January, this year. Of the eleven members belonging to our committee eight were present, the Rev. Drs. Landsberg, Sale and Stolz having been unable to attend. The Rev. I. S. Moses was elected Secretary.

In accordance with your instructions we took the printed pamphlets of prayers compiled by the Rev. I. S. Moses as a working basis and consulted the various prayer-books published by eminent rabbis in Europe and here in America.

During four days' earnest deliberations and labors we succeeded in arranging the framework of rituals for the evening and morning services on Sabbath and the three festivals, Pesach, Shabuoth and Succoth. In order to perfect this framework three sub-committees were appointed, namely:

1. An Editorial Committee, consisting of Drs. Berkowitz, Hecht and Stolz, to whom the work of revising and correcting the English translations or adding original prayers was assigned. To this committee were also referred the submitted draft of a week-day service for public and private devotion, of service in the house of mourning, and of funeral and marriage agendas.

2. A Committee on Hymns, to make a proper selection of hymns, anthems, psalms arranged for responsive reading, etc. This committee consisted of the Rev. Drs. Leucht, Heller and Philipson.

3. A Committee on Scriptural Reading, to prepare a table for Thora and Haphtora reading according to the annual as well as

the triennial cycle. As members of this committee the Revs. Leucht and Heller were appointed.

Drafts of services for Rosh Hashona and Yom Kippur were submitted, but could not be considered on account of the vastness of the work.

The above-mentioned three members of the Editorial Committee, together with the Chairman and Secretary of the General Committee on Ritual, met at Chicago, where sessions were held from May 2d to May 6th. The original compositions and translations as furnished by the Secretary were most critically gone through, changed, corrected and new matter added.

The members are satisfied that the arrangement of the services as well as the English renditions of the Hebrew portions will meet the requirements of our congregations.

The services thus considered and agreed upon are:

1. Introductory meditations.
2. A set of three rituals for the Sabbath Eve service.

REMARK. The second form or these rituals has for many years been in use in the Rev. Dr. I. M. Wise's temple as well as in the temples of several of our Western congregations.

3. Service for Sabbath morning.
4. Services for the eve of the three festivals, Pesach, Shabouth and Succoth.
5. Services for the morning of the three festivals, Pesach, Shabuoth and Succoth.
6. Afternoon services for Sabbath and Festivals.
7. Morning services for week-days and semi-festivals.
8. Evening services for week-days.
9. Services for Chanukah and Purim.
10. Funeral services.
11. Evening services at the house of mourning.
12. Prayers for private devotion.

Besides these services the committee has added an appendix containing Psalms arranged for responsive reading, as well as Scriptural selections and ethical readings. These readings, judiciously selected and followed by choral responses, will add greatly to make services fresh and attractive.

The members of the Committee on Hymns having, for want of time, been unable to do the work assigned to them, the Editorial Committee considered also this work to be done and resolved to recommend the adoption of the Rev. Dr. Isaac M. Wise's Hymn-

book, containing hymns, Psalms and prayers in English and German, and having been in use for many years in numerous congregations, but that in a new edition of this hymn-book a choice selection of new hymns be added.

The results of the deliberations and labors of our Ritual Committee and of the Editorial Committee are laid down in the printed pamphlet which we hereby submit to your honorable body. It is our fervent hope that the rituals as arranged in this pamphlet will meet with your approval, and if adopted will satisfy the demands of most of our progressive congregations in this country.

While retaining the characteristic features and essential elements of our traditional worship, this ritual gives expression to the ideas, sentiments, hopes and aspirations of the Jews of our time and under the happier circumstances under which we are living in this blessed free country.

And while we never lost sight of the good purpose to prepare a work of unity, we allowed free scope to the religious wants and needs of each community. All Hebrew parts are either rendered into English or have an English substitute, so that it is left to the choice of the congregation to recite some of these prayers in the original or in the vernacular.

We regret that it was impossible for our committee to submit at the same time the Ritual for Rosh Hashona and Yom Kippur. Much material also for this ritual has been compiled by the Secretary of our committee, but it requires to be thoroughly examined, sifted and properly arranged. If the Ritual for Sabbath and the three festivals, as prepared and submitted by us, be accepted by this convention of the Central Conference it will be less difficult to arrange the ritual for these two great holidays according to its same principles and to submit it to your next convention.

The Ritual Committee begs leave to recommend the following:

1. That the Ritual as arranged in the printed pamphlet submitted hereby be adopted by the Central Conference of American Rabbis as the first part of the Union Prayer Book for Jewish congregations of this country.

2. That a committee of five members be appointed to lay before this convention suggestions in regard to the way of publishing this Union Prayer Book.

3. That a Ritual Committee be appointed to arrange the second part of the Union Prayer Book, containing the services for Rosh Hashona and Yom Kippur, according to the same principles as the

first part and to submit their work to the next convention of the Central Conference.

4. That the hymn-book published by the Rev. Dr. Isaac M. Wise be adopted as the Union Hymn Book, and that in a new revised edition of the same a choice selection of other hymns be added by the Ritual Committee.

In conclusion, we beg leave to submit to your honorable body the following resolutions, unanimously passed by the Ritual Committee at our final session in New Orleans:

WHEREAS, Dr. I. S. Moses, of Chicago, has devoted much time and labor in compiling a prayer-book to be used as a basis for the work of the Ritual Committee, we, the members of the said committee, recommend to the Conference the following for adoption:

Resolved, That the appreciation and thanks of the Conference are due to the Rev. I. S. Moses for the work he has so faithfully and unselfishly done; and,

Resolved, That the Rev. I. S. Moses be reimbursed from the funds of the Conference for all expenses he has incurred in the work.

Respectfully submitted,

DR. M. MIELZINER, *Chairman*,
S. MANNHEIMER,
S. HECHT,
H. BERKOWITZ,
ISAAC S. MOSES,
Ritual Committee.

[Appendix A.]

IS REFORM JUDAISM DESTRUCTIVE OR CONSTRUCTIVE?

By Dr. K. Kohler.

In accepting the invitation kindly tendered to me by your committee to read a paper before this Conference, I felt called upon to refute the charges again and again made against Reform ideas and Reform Conferences, that they cause breaks and schisms where there should be unity and union in the Jewish camp, and to emphatically declare that whatsoever single attempts may have given cause for fear and alarm as threatening separation and secession, the banner of Reform at all times does, did and shall stand for *Judaism one* and *inseparable*, for a Judaism broad, comprehensive and large-hearted enough to allow wide differences of opinion, of belief and of practice; and yet solid, firm, strong and uncompromising in the maintenance and defence of its eternal principles of faith and its time-honored institutions. I have not been able as yet to ascertain when, and by whom, the name *Reform Judaism* was coined and first used. I have reason to suspect that, as is the case with all these party names, the term originated in the opponent's camp, through the endeavor to stigmatize the departure from the traditional observances as a new-fetched and different system of faith. In one of the ablest articles that has ever been written on the need of reform in modern Judaism (in Freund's *Monatsschrift*, 1844), Bernstein, one of the founders of the Berlin Reform Congregation, actually speaks of "four different Judaisms" ("Judenthuemer"). But this very statement of possible or real facts ought to have cautioned the leaders against accepting a term which seems to imply "Na'aseh Torah kish'te thoroth" the admission of two different systems or creeds in Judaism, which was certainly never meant nor earnestly contemplated by the Reform Rabbis or Conferences. Our sages make the fine observation that, when speaking of the journey of the Israelites in the wilderness, the Bible uses the plural "vayis' u vayovo-u," "they broke up" and "they came;" but when de-

scribing their encampment round about Sinai, it uses the singular: "Wayichan Yisrael"—Israel *was* encamped. While in motion, while advancing toward the common aim, the different parts and wings of the army must take different roads and pursue different courses, each according to its peculiar forces and capabilities. The more complicated, the better is the organization, and the finer and more efficacious the result of the development. But all the closer was the unity maintained in view of the common goal. In front of *Mount Sinai*, Israel was *One*. One God, One Law, One Humanity and One people appointed to stand by this Unity, to live and, if needs be, to die for it—this was the maxim maintained and expressed in the writings, the teachings and the prayers of the Jew for fully two thousand years.

When taking account of the sons of Esau—the Rabbis remark—the Bible speaks of "Nephashoth," of so many individual souls, but, when counting the sons of Jacob, it says: "Shib'im Nephesh," seventy forming one body and one soul. With the heathens there are as many different elements as there are forms of idolatry; while the one source of truth, God, blends and harmonizes all diversities of views into a perfect unit. It is, indeed, quite remarkable that the Holy Scriptures or the genius of the Hebrew language would never allow the term "'Ibriim" or "Yisraelim," nor even the name "Yehudim," indicating a plurality of Jews, to be used except by non-Jews. "B'nai Yisrael,—Sons of Israel—or "Kahal Yisrael"—Congregation of Israel—this is our name.

We should not for a moment forget that we are in the main *one*, no matter what shades of opinion we represent. And the same grandeur of conception is marked also in regard to the great fundamental doctrines of Judaism.

In vain you look in the Bible for a plural of the name for the species man. In the same manner as all Israelites by their very names emphatically declare, "Kullanu B'nai Ish Echad Anachnu," "We are all the sons of the same patriarch," so does the human family consist of many nations and tribes, but only of "B'nai Adam"—the sons of Adam, the one father of the race. No less noteworthy is it that the names אל and אלוה that name of God which has a plural, were dropped out of use, while the name of "Adonai"—Lord—became the specific term of the Deity. Israel's God, Jahveh, is not one of the many, but *the* God, the only One Lord of heaven and earth.

Now it may be stated in broad terms that Jewish Reform at no time ever contemplated, attempted or introduced any measure not intended to consolidate this threefold principle of Unity: the "Unity of God against all prevalent ideas and notions tending to harm and becloud true Monotheism"; the "Unity of mankind" against all exclusive and conceited tribalism, and the "Unity of Israel" against all fanatical and zealotic separatism. Not to *cause*, but to *prevent* breaks, reform measures were at all times proposed and taken. Not to destroy but to build up is the true and only aim and object to reform.

It is evident, then, that innovations should not be arbitrary acts, steps that lead to rupture and disunion. Progress by itself, however much lauded by the would-be enlightened, constitutes no principle of Reform. Revolutions which disregard the claims of the past always miscarry. They spend their forces in momentary shocks and explosions, but fail to advance the race. They retard rather than facilitate progress. The sons of Ephraim, according to the Midrash, in their eagerness to conquer the land of promise, pushed forward without the ark of covenant as guide and guard, and were driven back, instead of hastening the time of the longed-for redemption. No sound reform, no healthy progress is possible without due regard and reverential love for the past. No promise of fruits for the future before us, unless the roots of the plant are deeply imbedded in the soil beneath!

The great question at issue between Reform and Orthodoxy, therefore, is not, whether the Law and Tradition should be abolished or maintained, but whether by progress or by stability, by reforms, or by blind adherence to ancient forms, however void of meaning and impressiveness, Judaism can and should be preserved and glorified. I shall not argue with Orthodoxy. No true Reform rabbi will treat with any but the highest tribute of respect the mother that nursed him, although she bears the marks of old age on her face and in he stature — "Al taboz ki zik nah immecha." I only regret that the adherents and exponents of genuine Jewish Orthodoxy in this country—I mean the one built upon the impregnable fortress of the Shulchan Aruch—have not even the prestige of venerability, while the Orthodoxy monopolized by certain pulpits and organs of the the press strikes us as being rather a hot-house plant than a genuine growth. The fanaticism displayed is often too obtrusive and too much out of keeping with its surroundings to be taken in good faith.

But to the so-called *Conservative* Jews of this country—and the opinion prevails that they form the majority—I emphatically deny the right to antagonize Reform. For they stand, if not nominally, yet actually, on the *same* basis as we, the *progressive* Jews.

The very moment they allow reason to have the right of discriminating between one Mosaic or Rabbinical law and another, the moment they admit the change of one iota in the Biblical writings or in the traditional statutes of Rabbinism, their antagonism to Reform as such is inconsistent, illogical and void of principle.

Conservatism as opposed to strict Orthodoxy is a catchword for the masses, but has no basis or meaning. As soon as it has admitted one single reform measure, as, for instance, the playing of the organ in the Synagogue, and particularly on Sabbath and holy days, or the Confirmation rite, which, like the former is an adoption of a non-Jewish custom, or abolished one single Rabbinical rule, as for instance, the keeping of the fasts, or the signs of mourning for the Temple in Jerusalem, or the prohibition from carrying watch and handkerchief in the pocket on the holy Sabbath, it has virtually taken side with Reform. It has entered a compromise with and begun to recognize progress as a motor of Judaism. To the so-called Conservative, Reform is a question of degree and mode, not of principle.

A Jewish writer who, like Graetz for instance, does not hesitate to ascribe the fifth Book of Moses to the prophets of the age of King Josiah, and the preceding parts of the Pentateuch to the age of King Ahaz, has no right to denounce theories that place the composition of the Pentateuch half a century or a full century later, as wicked heresies. He who places himself with his view of Revelation into the glass-house of rationalism, must not pelt other Bible critics with stones.

Nor do I see any consisteney in the method with which a conservative Rabbi of our country wants to put a fence around the Pentateuch to render it, as he said the other day at the dedication of the Conservative Jewish Seminary, a "*noli me tangere!*" after he himself has publicly denied the authenticity of the second Isaiah on no other ground but that of free inquiry, the same which prompted not merely the much-abused Kuenen and Wellhausen school, but also Zunz and Graetz, to investigate the Mosaic authorship of the Pentateuch and to finally assume its late origin in direct opposition to Jewish tradition. I am sure, no conservative organ or pulpit dares charge the late and much-lamented Rabbi Dr. Joel of

destructive radicalism, yet hear what this fair-minded, clear-headed teacher of Breslau in his "Religiose-philosphische Zeitfragen," the best and profoundest of his works, writes: "Between atheism and the so-called Orthodoxy (Recht-glaubigkeit) there prevails often, to use a Biblical expression, 'a sort of open hatred, yet secret love.' Orthodoxy charms religion by its excess of love. The essential feature of all Orthodoxy consists in its attempt to fix the great points of history at certain moments and in rendering this moment the binding norms for all times. What by its nature can not but perpetually grow it takes as something that remains for all time the same. It fails to recognize that the classical ages when the religious truths in original impetuosity of growing life ('Werdelust') spring forth from the God-inspired genius of the prophet, is the decisive and most momentous one. At the hour when Orthodoxy awakes, the creative power of religion is exhausted. Religious life appears petrified in paragraphs; the undefinable, the truth never-to-be-cast-in-iron forms is being compressed into formulas. The natural faith is supplanted by a prescribed form of belief ('Glauben in Recht-glaubig-keit') and the consequence of this false position taken by the believers is its openness to attack from the unbeliever. To the religious need, the conviction ought at all times to have been sufficient that God is our Father and the community of Israel our Mother. For, says Joel in a later chapter referred to, Jewish monotheism is but the outflow of the high moral conception of life entertained by the Jewish people. A holy God could only be perceived and worshiped by a people striving for a pure and holy life. Now instead of laying stress on this fundamental truth of religion, theologians set down their own views of the books, or of the writers of the books containing these ideas, as the only true and correct standard of faith. It declares it heresy to ascribe the second part of Isaiah to another prophet. As though a philological or historical judgment could be morally suppressed, or decide our attitude to what is holiest in life, to our religion!" I shall not quote any further, but I sincerely wish that every theologian of the Breslau school should, instead of extolling Dr. Joel, rather study and ponder over his little work, small in volume but rich in acumen, in order to find the false position of the so-called Conservatives condemned by the author as "untenable."

It seems to me that every Jewish teacher who appeals to reason as arbiter in matters of religion, every one who discards the orthodox maxim: "Whatever is commanded by the Law is an edict of

the heavenly Ruler and must not be pondered over," whosoever declares the 'Mitzwoth Sichliyoth,' the moral precepts, which God has engraved upon the tablets of the human heart to be of greater importance than the 'Mitzwoth Shemo'oth' religious ceremonials given only as aids for a religious and moral life, having thereby abandoned the platform of Joseph Caro and Jacob ben Asher, is *eo ipso* an adherent of the principle of Reform and Progress.

I say this not in disparagement of any class or opinion. On the contrary, the unnatural barriers erected arbitrarily between the various Jewish congregations and theological schools within Judaism, I want to see pulled down and forever removed. To me, and I speak here not merely as theologian but as a student of Jewish history,—Reform and Progress is the motive powers of Judaism as the religion of history. But for reform, Israel would have perished as did Moab and Edom, under the sword of Shalmaneser and Nebuchadnezzar. But for Reform it would never have risen, Phoenix-like, from the ruins of its temple to rear synagogues and fill the world with churches and mosques forever to re-echo the songs of David and the thrice Holy of Isaiah. But for R-form, no Philo, nor Maimonides and Spinoza would have ventured to blend the earnest truth of Sinai with the bright splendor of Hellenic thought Reform is Judaism's fount of youth, the wondrous well that forever furnished it with living waters on its march through the ages.

This is not mere phraseology of mine. It is the solution of the great problem of history. It is the explanation of Judaism. Instead of denouncing Biblical criticism and its results regarding the Books of Moses, every progressive Jew should gladly espouse the idea that Divine Revelation did not die out with Moses, nor Inspiration with the last prophet, but that the true religion is a living power welling up with ever-new force in age filled with a new consciousness of the living God. The entire history of Judaism from Abraham down to our own time is in the light of historical research nothing but a succession of reforms, theoretical and practical.

The very first manifestations of God to Moses is represented in the Bible as an improved conception of the Deity Abraham, Isaac and Jacob adored. The God of the fathers appeared to him under the new name of Jahveh. And is not the Deuteronomic legislation also described as an improvement upon the former given at the foot of Sinai? Yes, thanks to a careful scrutiny of the Bible, the Law and the Prophets, we recognize in the fifth book of Moses the ripe fruit of the prophetical work of Isaiah, the great system of reform

inaugurated under the reign of King Josiah. And is it not a greater credit to both the Jewish faith and the Mosaic books to assume that the man-like qualities ascribed to Jahveh, as He, according to the book of Exodus, appears to Israel on Sinai are already under the influence of prophetical insight sublimated and spiritualized in the Deuteronomic narrative, just as the entire legislation of Deuteronomy betrays a higher moral character and a profounder estimate of life than does thn preceding one. Notice the fact that according to Deuteronomy, God it only heard, not seen. "Ki lo re'ithem kol temunah * * * zulathi kol," that worship culminates in love of God, and that blood sacrifice is not favored, least of all the Abrahamitic rite.

Now the principle underlying and substantiating the changes which distinguished the first, the Sinaitic, from the second, the Moabitic, legislation of Moses is simply that of reform.

Still more marked is the divergence between the Mosaic system of worship, upon which Ezra, the scribe built temple and state of the second commonwealth, and the synagogue reared and established by the men of the Great Synagogue. This entire phase of Jewish history, dark and problematic in its origin, has never been given the attention it deserves. All of a sudden a new faith is seen springing up, offering prayers in place of sacrifices, making holiness the central aim and principle of life for the entire people, instead of the priestly caste, and holding up the hope of a great Messianic age to embrace, not the tribes of Israel, but all the nations on earth. We have no means of ascertaining who first held and pronounced this lofty conception of Judaism presented in the last twenty-seven chapters of Isaiah and in those parts inserted in other books of Holy Writ. We know not who formulated for us the grand and inspiring prayers of the synagogue ritual, giving expression to the loftiest hopes of our world-embracing religion. We know not who wrote the books of Job and of Jonah, containing the grandest lessons of philanthropy and of an all-embracing divine justice and love; or who put the whole canon of Holy Books into the form in which we have them; or who laid down the rules for guidance which kept Judaism intact and invulnerable amidst the onslaught of the nations. Tradition has only one name for the power that created this Judaism of Antigonus and Juda Maccabaeus, of Hillel and Akiba—the same that moved the founders and fathers of the Christian Church—the "Ruach Hakkodesh"—the Holy Spirit, the living force of the Jewish truth, or as we call it, *Inspiration*.

Indeed, blind worship of the dead past would never have moved the *Chasidim* during and after the Exile to create the Pharisean system of belief and practice. The spirit of reform did, the belief in the eternal presence of the *Schechina* wherever this divine immanence was felt and realized.

Nor did these Pharisean forms at once stagnate into dry Halachoth or cast-iron rules and mystic dogmas or creeds. Shimon ben Shetach, Hillel, Jochanan ben Sakkai and Akiba represent the battle of reason and progress against the stability of the schools whose only argument was, "Kach Shamati:" "Thus is our tradition from our fathers and forefathers as far back as the prophets and their Master Moses." When the old Essene saints insisted on long prayers and daily ablutions, on rigorous Sabbath restrictions and a dreary stand-still of all industry and commerce in the seventh year, when the pupils of the old Chasidim wanted to erect ever higher walls of seclusion between Jew and Gentile, nay, between Jew and Jew, these men of liberal reform ideas objected without minding any of their opponents' appeals to wonder-working heaven or earth. Religion is a matter of the human conviction, they would say, not of heaven above, "Lo basshomayim hi." And this liberal school of the Hillelites obtained the victory and shaped Rabbinical Judaism in the Babylonian academies for centuries.

And when the Talmudical epoch, too, had run its course and threatened to fossilize Jewish life, an Egyptian rabbi, imbued with the philosophy of the Arabian schools, caught the spirit of reform and regenerated Judaism while contesting against mysticism on the one hand and against the Karaite apostacy on the other. It was a bold endeavor on the part of the head of the leading Jewish academy of learning to deny literal facts given in the Books of Moses and interpret them as mere allegories. Had the Gaon Saadia lived in New York, he would have probably found the doors of the conservative Jewish Seminary bolted against him, because he would not believe that Balaam's ass should have spoken while the angel kept silence. But, thank Providence, he lived when the spirit of free inquiry was in the ascendant throughout the Arabian land of culture, and what he left undone, the great Jewish philosophers of Cordova, Saragossa, Granada and Toledo continued. Reason was enthroned in the sanctuary of the Jew as the angel leading straightway up to the heights of God. The only question unsolved was, how about Love? It was answered by the mighty reaction which the centuries of mysticism ushered in in return.

Strange enough, even these latter-day Chasidim, the mystics, claimed to possess the "Ruach Hakkodesh"—the holy spirit—anew. The more the Spanish school of Rationalists pointed to the brain the more did they, standing nearer to the masses, accentuate the needs of the heart. Naturally enough the ages of martyrdom, of cruel oppression, could not foster the spirit of reform and research.

People that mount the scaffold and the funeral pile to die in glorification of their God, are not in the attitude of mind to philosophize about their religion. But even these ages created new forms of religious practice. Even though they bordered on superstition, they enhanced the wealth of religious devotion and the glory of the Jewish home-life.

Is now our era of enlightenment and progress, of historical consciousness and evolution void altogether of the "Ruach Hakkodesh," the holy spirit, deprived of the power of divine inspiration? Does the Shechina, the divine majesty, not dwell also above and within us in our "Arbah Ammoth Shel Halachah," our religious creations and institutions? Who that compares the state of Judaism of the pre-Mendelssohnian era with ours the world over, is so biased and blind as not to see that the same spirit, which made the prophet Ezekiel see the dead bones of Israel rise to new life, has also worked a wondrous resurrection in our days? When at the American trumpet blasts of liberty the ghetto walls of the old world had fallen, and in the eager rush from midnight darkness to clear daylight the Jew was so dazed, as to hesitate whether he should tenaciously cling to the "'Shib're Halluchoth," the ruins and fragments of a bygone world with its superstitious practices and views, or espouse the new life of culture which seemed to be the breaking away entirely with the past, Reform alone offered itself as the saving power of Judaism. Even though the reform temple of Jacobsohn and Solomon borrowed much that wore the marks of Protestant Christianity, it made the synagogue decorous again, and attractive, and the divine worship impressive and inspiring. Even though Geiger's theoretical and Holdheim's and Einhorn's practical radicalism gave offence, these Reformers and Reform Conference, imbued Judaism with new life, kindled new ardor and hope in the hearts of the Jew, made the old mother young again and vigorous.

The new theology of Geiger furnished modern Israel with a grand vital principle of Reform. He became the exponent of historical, ever progressive Judaism. What Zunz and Rappaport had done for

the dead literature of the past, Geiger did for the half or seeming dead faith of the past. He unfolded its undying secret. He spelled forth for disbelieving and despondent Jewish multitudes the magic word of Reform as the key to the riddle of Jewish history.

True enough, the Reform movement waned when political and social emancipation was attained. Conservatism affected a truce, a compromise between the old and the new. Yet was the Conservatism of Frankel and Mannheimer not Reform too, only somewhat tempered and moderated to suit a larger number, to satisfy also those that did not belong to the Jewish aristocracy of the intellect? The trouble with Conservative Judaism in Europe is that it lacks the "Ruach Hakkodesh," the inspiration which the principle of Reform enkindles, the enthusiasm which fills the Jew with pride and vigorous self-confidence. Reform is constructive, conservatism does not create but only tempers and retards progress.

And in our country? Who is so dull and unjust as to withhold from Reform the acknowledgment that it made Judaism respected and respectable throughout the land, that that element of Jews that rallied around the banner of Progress and Enlightenment elevated Judaism from a rather low position and is principally the one that reared the temples and charitable institutions, which are the pride and glory of American Israel? Just as in Berlin and Vienna and the larger cities of Germany of the Post-Mendelssohnian period, the battle-cry of Reform checked and stemmed the tide of apostacy, so did the name and flag of Reform prevent hundreds of enlightened Jews from deserting our ranks and fill their hearts and homes anew with the proud consciousness of being banner-bearers of Judaism. The future historian of American Israel will place the conservative Leeser, the powerful and uncompromising Radical Reformer with his lofty principles, Dr. Einhorn, and between these "Lehabdil ben hachayim w'hamethim," Dr. Wise, the energetic Reform champion, with his creations and institutions, as the three leaders that did more for the elevation, the awakening and the glorification of Judaism in America, than the combined efforts of orthodoxy ever did and probably ever will do.

Dr. Stein in his last book says with reference to America, "Hashechinah b'Maarab": The Divine Majesty dwells in the West. The holy enthusiasm of a grand Divine truth untrammeled by a patriarchal government is felt in the Western Hemisphere, where liberty holds sway, "Avir Eretz Yisrael Machkim." The very air of the Holy Land of Freedom spreads wisdom. Let the hundreds of

thousands of Eastern Jews, with their benighted superstitious practices and prejudices come to our shores. They will never rule and drag us back into the thralldom of medieval letter-worship. The Jew, even the Polish and Russian, is by his very nature and history too fond of light not to prefer it to darkness, when the choice is left to him.

A greater danger confronts the Jew in America. The fire of enthusiasm and zeal for the religion of his fathers burns too dimly in the American-born to insure future triumphs. "Hakaiitz obar" Reform has almost spent its force without succeeding to secure its proud championship by the young. We have reformed Judaism, but not the Jew. Agnosticism and an indifferent, if not hostile, attitude to the synagogue are preferred by the educated young generation. Judaism's claims and demands, the Sabbath and holidays, are disregarded. Sympathy and love are shown to the poor suffering Jewish brother, but none whatsoever to the Jewish religion.

Is Reform to blame for this decline of religion, nay, of morality, as is the charge held out against us in view of our having sanctioned the violation of the dietary and of many other ceremonial laws? A glance at the state of affairs in Europe must exonerate us. The young Jew there shows rather less love and devotion to our ancestral faith than in this country, where Reform temples in every city proudly point with their domes heavenward.

Still we ought not be blind, to the fact that Reform, with no other principle but that of progress and enlightenment has created a tendency to treat the past with irreverence and to trifle with the time-honored institutions and the venerable sources of Judaism. This is especially true of the Sunday innovation. Of course, there can be no wrong from whatever standpoint we view it; on the contrary, it can only be the duty of congregations to assemble in the synagogue on that day when nearly all the Jews are enabled and inclined to attend, and offer them instruction and means of devotion.

But is it real food for the soul, the fruit of the "Ruach Hakkodesh" the spirit of holy devotion, is it positive Judaism that is craved for and eagerly relished by these Sunday audiences? Do those people that flock to the temple on Sunday really offer the promise of becoming the pillars of historical Judaism with its faithful adherence to the traditional Sabbath and holy days? My experiences are to the contrary, and therefore I, the former advocate, felt by my Jewish conscience bound to abandon the Sunday substitute for the Sabbath. The Sunday service is, in my judgment, a patri-

cide. It may crowd temple to overflowing, but it will never satisfy any but the intellectual aristocrat who lacks pious reverence for the past. It destroys or undermines the Sabbath, but it fails to build up a Judaism loyal to its ancient institutions. And what is Judaism that is only cosmopolitan, but cut loose from its mooring? A Wagnerian music of the future with Spencer or Kuenen as *Leitmotif.*

To rebuild, to rekindle faith and love for our glorious history and mission is the great and lofty task of Reform. In our efforts at reform and progress we have been too eager to abolish, instead of learning from nature not to cast off the old before the seed or the bud containing the new has sprouted forth. The April storm does not create the summer crops, the mild May sun brings forth the latent forces that accumulated previous to the destructive tempests of March.

If time has played havoc with our ceremonial forms and rendered them meaningless, useless and obsolete, we must be again possessed by the "Ruach Hakkodesh," the divine power of inspiration to create new, life-imparting, impressive and attractive forms to fill the soul with the beauty of holiness. If our festival rites, our devotional usages no longer enrich our hearts and our homes with the wealth of a higher peace and bliss, we must invest our Sabbath and holy days, the cradle and the grave, our domestic and our public life with new religious forms and symbols suggestive of Israel's highest truth. If our synagogical reading from the Bible fails to impress our congregation, because our sense of decorum forbids us to read passages of the Bible in their literal translation, we must mould the Bible into such a shape as to make its lessons again inspiring, elevating and ennobling for our generations.

In this direction lies our task and scope of Reform. Nothing that tends to destroy tender plants, nothing that causes new breaks and new divisions ought to be attempted by us now. We have too long been vigorous and energetic in abrogating and pulling down. Let us unite and co-operate in building up Judaism to render it the object of love, of pride and joy for all, the source of comfort and peace for every thirsting soul, a fount of life and inspiration to Jew and Gentile alike.

Reform at all times took its start at the school house in view and by the aid of enthusiastic, sanguine and vigorous youth. We have failed as yet to endear Judaism, with its grand history and world-conquering mission to the young. What does the modern Jew

know of the Bible? He has had no opportunity as yet to admire and love our literature. The Bible is to him a sealed book. He applauds Ingersollian sarcasms, because the grand productions of the Hebrew genius remains alien to him, and they must remain so as long as we have neither the courage nor the wisdom to present the Book of Humanity in the light of historical evolution, as long as we do not undertake to separate the chaff from the wheat, the dross from the gold.

Still less have we thus far done for the knowledge and the deeper understanding and appreciation of our wondrous and unique history as a race of mental giants, of moral heroes, of martyrs, of torch-bearers of science and of pioneers of culture throughout all lands and ages. "Hen Yisrael lo shama elay ech yishma'eni Pharaoh." If even the Jew knows so little of his own history, how can we expect the world at large to know and to see its unparalleled grandeur? Hand-books of Jewish history and Jewish literature, of Jewish ethics and Jewish sciences (Culturgeschichte) we need for the young and for old learners for home use and for school. Great international Jewish publication societies we ought to establish, and may not next year's Conference at the Columbian World's Exhibition be the opportune time to set such plans and objects into motion?

Large is the field and grand the work, but the workers are but few—"Hammelakhah Merubbah." Yet only from a body of Jewish ministers and Rabbinical scholars ought these literary undertakings to emanate in order to be safe against failure and fallacies, and to have its positive religious character secured. For not a chauvinistic race Judaism lacking the soul of Jewish faith, but historical Judaism with a world-wide mission is our safety, our aim and goal, the essence of Jewish life and motive power of Jewish progress.

Uppermost in all our minds is to-day the sad reappearance of the medieval specter of anti-Semitic hatred, the tragic fate of persecution of the Jew. And yet I see in it but the divine finger of Providence, a blessing in disguise. Our Progress and Reform movement thus far rescued from medieval shame, bondage and darkness only the Western Jew. Eastern Israel was neglected. We have sung the new song of liberty. We have hailed the advent of the Messianic age, altogether unmindful of the Jew chafing and groaning under the Pharaonic rule of Eastern despotism. This great task, this mighty burden is now thrown upon our shoulders. "Not for us, O God, not for us, to Thy name give the glory!"

The locomotive of Reform must be taken off first from our train and hitched on to those trains freighted with our Eastern fellow-bondsmen. We are but the sons of Reuben and Gad whose precedence in taking possession of the land of promise implies the responsibility of guiding and defending those that have not yet crossed the Jordan. Their destiny is ours. Their future is ours. Their shortcomings are put upon our account. We dare not move onward and widen the gap between them and ourselves. Here on the boundary of the Messianic land we must stand with the ark of the covenant upon our shoulders, waiting till all our brethren can join us in entering the land where the prophetic vision will be realized: One God, One Humanity and One Martyr-priest and herald-nation praising the "Adonai Echad," the Only God enthroned in all hearts.

[Appendix B.]

THE OPPORTUNITY OF THE AMERICAN JEWISH MINISTRY.

(Conference Sermon. Text: Haftarah, Micah vi. 1, 8.)

By Rev. Dr. Henry Berkowitz.

Friends:—In answer to the cordial greeting which has been extended, I know no words more apt than those which have inspired our worship to-night, the words of the prophet of the olden time (Isaiah lvii. 20): שלום שלום לרחוק ולקרוב אמר יי ורפאתיו "Peace, peace to him that is afar off, and to him that is near, saith the Lord, and I will heal him."

It is in answer to that thrilling proclamation that we are here to-night. There is no music so charming to the sense, no motive so dear to the heart, no invitation so alluring to the soul as that which makes for peace. It is a divine call. When we are true to ourselves, we can not resist it. Following that summons we have come hither from far and near to celebrate this festival, even as our forefathers of old made their pilgrimages unto Mount Zion to observe a festival of joy before the Lord. Not less devout, not less joyous and significant is the High Festival, which in the spirit of the new age, we are come together to celebrate, a festival of reunion, for union and for peace.

Reverently do we yield ourselves in this sacred hour to the guidance of the beautiful Sabbath bride, as she points the way that leads us by pleasant paths to the Pisgah heights of restful contemplation. Here we pause, and as it were, from the ridge of Peor on the prospect of Abarim, we look round about us as did the heathen prophet Bileam, of whom the Scriptural lesson of this day reminds us. To him it was a moment of the profoundest inspiration which compelled the rapturous outburst: (Numbers xxiv. 5) מה טובו אהליך יעקב משכנתיך ישראל "How goodly are thy tents, O Jacob, thy dwelling places, O Israel." Not less spontaneously do these words bound to our lips, as from the vantage ground of our meeting in Conference in glad prophetic anticipation we consider the expanding possi-

bilities of the life of Israel in America. For us a most inspiring interpretation is given that rapturous utterance by this magnificent temple in which worship is made articulate through the majestic concepts of art, and in the silent eloquence of whose grandeur the heart finds the expression of its loftiest and its tenderest moods. Having been chosen to interpret the meaning and the message of this hour, I feel most deeply conscious of its solemn import and gratefully receive the cheer and encouragement that comes up to me from the goodly prospect that unfolds itself before me. It was my privilege within the past week to stand upon what is probably the highest point of land on our continent, 14,147 feet above the sea level, upon the summit of Pike's Peak, where, as has been well said: "Tired nature finished her ponderous task and set an everlasting monument as the result of her labors." Never, in all my life, had I been so deeply impressed as when I stood there on the heights viewing the magnificent panorama that was unrolled before my wondering gaze.

The eye grew weary sated with nature's glories and eagerly sought rest where the heavens kissed the earth at the far-away horizon. There came to me then in all its depth of truth the message of the mountains: "On the heights there dwells the peace of God." The low bending sky, the cloud passing near, the fragrance of the wild flowers that adorned the mountain's brow and the winds that toyed with his snowy cap, all seemed to whisper to me the message most fitting for this hour, the greeting of the mountains to the sea, the joyous message of peace.

I had well noted how man had clambered about the mountain's base, jealous of the eternal defiance of its summit. He had tunneled its massive walls; he had pierced with his deadly shafts its veins of silver and its heart of gold; he had rent its granite foundations and left no means untried to o'ertop and conquer this hoary patriarch of the hills. At last mounting the iron horse and goading him on with the lash of steam, he had hurried over dark and dismal chasms, skirted the edge of the most precipitous cliffs, rounded the mighty threatening and overhanging bowlders, leaped to the topmost ledge whence the raging and dashing cataract descended until triumphant he scaled the very summit, flashing messages of light into the gloom of the forests as he ascended, and from the peak among the clouds now speaks to the world with the electric signs and symbols. And yet behold the mountain, firm, serene, placid and invincible.

rises there above all the efforts of human kind to conquer it, glorious in the majesty of peace which God imprinted upon it at the creation.

Judaism is the patriarch of the religions, rising above them in the majesty of truth as the great patriarch of the mountains rises above all the lesser ones that cluster about it. Men have tried with their philosophies, with their theologies, with their sciences and systems, as well as with all manner of coercion, by fair means or foul, to burrow through the foundations, to rend its bases, to undermine and overtop it, and yet Judaism rises, a giant in strength, above all their petty efforts; calm, serene, invincible in the placid composure of truth. A moral Sinai, a prophetic Nebo, a hallowed Zion, it still speaks a message to the world to-day, than which none sublimer has ever been flashed by God through the soul of man. It was most clearly voiced by the great prophet Micah in the words of the Haftarah of this Sabbath, when with unerring provision he set forth the only means of attaining true peace in this life (Micah vi. 1, 2): קום ריב את ההרים ותשמענה הגבעות קולך "Arise and hold your controversy before the mountains, and let the hills hear thy voice. Hear, O ye mountains, and ye enduring foundations of the earth; for the Lord hath a controversy with his people. He will plead with Israel."

What is this "controversy of the Lord?" What is this plea which the prophet makes? It is the clamor for righteousness which is made by the Godly voice of conscience in every human soul before the mountains of honor and the everlasting hills of integrity. It is, after twenty-six hundred years, the most concise, the simplest and most forcible plea for religion of which the world stands possessed. It is the sterling charge (Micah vi. 8): הגיד לך אדם מה טוב ומהי דרש ממך כי אם עשות משפט ואהבת חסד והצנע לכת עם אלהיך: "He hath told thee, O man, what is good and what the Lord doth seek of thee; nothing but to do justice, to love kindness and to walk humbly with the Lord thy God."

Brethren, here is the old Hebrew Ideality which we are to save to the world. Here is the message which Israel first came to speak and which it is our blessed privilege to proclaim in an era which has come to understand and appreciate it as none before. Here are two ideals which alone can uphold the race and save it from moral and spiritual death. The first is the Divine ideal. "It hath been told thee, O man, what is good and what the Lord doth require of thee." God seeks men; He asks nothing from them. There is something which transcends the here and the now. We are linked by bonds

eternal to higher interests. It is this clamor from the things above that will not let us grovel in the earth. God is ever seeking us thus. He demands the soul life. There is something which makes for righteousness, there is something within us that makes for Godliness. According to the strength of this conviction is the human kept in touch with the divine. This is at once the noblest and most effective ideal that man knows. It lifts him above the gross materialism to which the physical realities fetter him, it releases him from the pessimism of despair, it spurs on the mind by superhuman energies to the sublimest possibilities, it creates in even the humblest mortals the matchless enthusiasms of the soul.

The other great ideal is that contained in the prophet's words: "Nothing but to do justice, to love kindness and to walk humbly with the Lord thy God." This is the mandate of the imperative conscience which makes right the ultimate law of the universe. To bind all men together in a common brotherhood that shall be molded by that supreme and eternal law of right, is the second ideal. True, men do recognize the Fatherhood of God, but they do not yet recognize the common Fatherhood of God. Theoretically men do recognize the brotherhood of human society, but practically they do not yet concede the common brotherhood of all human beings as children of one God. The rivalry of races, the clashing of creeds and the conflict of classes are filling our land with terror; they are rumbling and roaring through the world with deadly invective. Therefore must we now proclaim Israel's ancient ideals in the modern world with unabated ardor. As we have witnessed in the changing years the political emancipation of the nations, seen serfdom routed and slavery vanquished, so shall Israel in the new era live and labor for the social regeneration of the race and the establishment of right relations in all the concerns of men.

Our opportunity is such as it has never been in the past. God be thanked for it, we are living in blessed America and the American spirit which has been lauded here is at last taking hold upon the Jewish pulpit, shall, under God, be its saving power. Our every heart throb is an answering beat to the mighty inspirations which pulsate in the name American. Never has Israel had the opportunity to make himself heard and felt for good which he has now in this land. The present opportunity of Judaism and especially of the American Jewish ministry finds no parallel elsewhere, now, nor in the past. It is this fact which brings down the plea of the prophet to our own doors; which makes what he calls "the controversy of

the Lord" a personal one to us. It is not my duty now to consider how this controversy applies to the people at large in the congregations, but only as it applies to the minister. Therefore I come right down with my text to the rabbis themselves.

הגיד לך אדם מה טוב ומה יי דרש ממך כי אם עשות משפט ואהבת חסד וגי

It hath been told to every man of us that there is a moral responsibility; that the Godliness by which we are consecrated to our exalted profession, demands that we should use the opportunity which is ours; use it courageously, but reverently. What is most fairly and urgently demanded of the ministers to-day? כי אם עשות משפט "Nothing but to do justice." Alas, too well do we know that there are no persecutions so relentless as religious persecutions; there are no wars so sanguinary as holy wars; there is no hatred so bitter as theological hatred. Yet it is no unfair demand that the teachers of religion before all else should do justice one to the other. The history of the American Jewish ministry (to our shame it must be confessed) is a history of factionalism, of sectionalism. The failure of the various Conferences, Synods, Rabbinical Associations of whatever name, to perpetuate themselves, has been due to this lack of justice man to man between the Rabbis of America, each following his own course, none willing to yield; ungenerous, sometimes cruel in their judgments of one another they have failed in the primary precepts, "to do justice one to the other." We have, therefore, only one hundred members in the Central Conference when we should have perhaps three hundred. We have disagreements and wranglings over questions liturgical, ritual and doctrinal, which instead of being, as they always should be, purely intellectual, are, alas, oftentimes unfortunately personal, petty, pernicious and puerile. How little cheer and encouragement there is from minister to minister even when a clear note has been sounded and a brave charge rung out for the cause, which should have called forth a hearty response all along the line. It does verily seem that but for carping criticism and shrewish censure some Jewish pulpits would have no preaching and some Jewish papers would have no editorial fire.

"Ahavath Chesed," show kindness one to the other, demands the text. The Rabbinate of America has ever been and is to-day composed of men exemplary in conscientious devotion to duty, sincere religiousness and scholarly ability. As a body of men, however, there is none with less organization, less *esprit de corps*, less of that sentiment of fraternity which ordinarily binds the hearts of those

who belong together through their common aims and pursuits, their like trials and triumphs. Alas for the Rabbi who happens to get into a difficulty, pecuniary or otherwise. Alas for the Rabbi who has lost the favor of his congregation. What though he has grown old in the service, has given his life's best energies in faithful endeavor, he must be sacrificed to the fashionable whimsies of the "younger elements," or to the factional domination of the elder autocrats. What then? Do the Rabbis, his colleagues in the love of their sacred profession proclaim as one man against the offence which aimed at one smites all? Do the Rabbis who are the creators and molders of sentiment in the congregations cry out for equity in their brother's behalf and down the spirit of iniquity which in thoughtlessness and error is allowed to arise?

On the contrary (to our shame it must be confessed) we have suffered many a hapless brother to stand alone, struggle alone and fall alone. There has been no fraternal sentiment to sustain him, no brotherly hand reached out to save. We have let many a worthy man go about the country as a mendicant and some of us have been gracious enough to rob him of his manhood by supplying him with the easy passport of begging letters. We know of those who, spurned by congregations, neglected and shunned by rabbis, their families destitute, all hope forever lost, have gone down broken-hearted to their untimely graves. These are bitter charges but they are the truth. With Bileam again I must say: הדבר אשר ישים יי בפי אותו אדבר "That which God prompts me to speak, must I not speak?" (Numbers xxii. 38.)

Furthermore we are admonished; והצנע לכת עם יי הלהיך "To walk humbly with the Lord thy God." If I were to lay the axe of criticism at the roots of the upas tree, which with its poisonous effluvium makes unwholesome the atmosphere of the American Jewish pulpit, I should strike at the silly self-consciousness, the petty self-conceit, the wilful arrogance and haughty pride of those men who, wrapping themselves in the sacerdotal robes of their self-sufficiency, declare that they stand apart, that they have no need for other rabbis, that they are superior to all unions and conferences. Professions of peace and union are often upon their lips, but discord is in their hearts. Humility, forsooth, and the unselfishness which should characterize ministers; is it aught but the lack of this virtue which makes the Jewish pulpit often an object of distrust, a subject sometimes of ridicule and contempt? Rabbis are ignored or openly snubbed at conventions and public gatherings. The tone of the

Jewish press is for the most part anti-rabbinical. In many communities there is a class of so-called "rabbi haters." The splendid opportunity of Judaism which in this land lies at hand awaiting the direction of a strong and united ministry is being wasted and lost. It is the lack of the spirit of a sincere and devout humility within ourselves to which all this must be laid. It is true that the rabbis are only human and fallible. To act justly, to show kindness, to conduct themselves with becoming humility, these are, however, the very characteristics which through centuries have given to the title Rabbi its sweetest and noblest significance? It is said: חבה ורעו חבה ורעות נהגים זה בזה לקיים מה שנאמר האמת והשלום אהבו: "They were wont to show affection and friendship for one another to verify the saying: Truth and peace were bound in love together."

Rabbi Nechunyah ben Hakanah when asked by his disciples how he had succeeded in coming to old age with such universal good will and honor from all men, made reply that he had learned from Reb Huna never to seek honor for himself by disparaging a colleague; that he had learned from Mar Zutra never to retire to his couch at night harboring bitterness in his heart against his associates. (Meguilla 28*a*.)

Out of the cloud-lands of antiquity there rises before us to-night two majestic figures. The one with the halo about his head, bears in his hand the tables of stone; the other clad in the hyacinthine robes of the priesthood, walking in the beauty of holiness, waves the censor aloft. Moses and Aaron, at whose coming all nature broke forth in glad acclaim, as the Midrash poetically declared when to their coming it applied the words of the "Song of Songs;" "The flowers appear in the land and the time of the singing birds has come." These two men are the types for all ministers. The one aggressive, forcible, uncompromising. "The right must pierce the very mountains," said Moses. The other forbearing, patient and sympathetic. "Love peace, pursue peace," was the motto of Aaron. Each a giant in his virtue. Never could the mighty task of the redemption of Israel from bondage have been accomplished without the combined efforts and the thorough co-operation of these two leaders. They were complementary and supplementary to each other in their labors. Aaron was as necessary to Moses as Moses was to Aaron. The Midrash reveals the real greatness of Aaron when it says: "He who rejoiced in the greatness of his brother was worthy to bear the priestly robe. (M. Rab. Ex. iii.)

We are all differently constructed by nature. Some must be beligerent, aggressive like Moses; others who must be pacific like Aaron. Let each one be true to himself and do his best. Let us take sides, but keep our side high above all personal and selfish aims. Let the conflict go on between the rabbis, but let it be a conflict of intellectual champions of truth and right. אלו ואלו דברי אלהים חיים "The living word of truth is on both sides; whenever there is sincerity in the hearts of the combatants, מתוך הוי יכוה יתבדר האמת and "from the midst of the conflict truth will emerge triumphant." Let there be the same spirit among the rabbis as characterized Moses and Aaron, a fair and fraternal union of the aggressive and conciliatory through the union of all constructive energies to achieve the triumph of the cause. כל מחלקות שהי לשם שמים סופה להתקיים "Every contention which has a high and holy purpose must prevail." (Sotah 22.)

Let us keep constantly and clearly in view that we are to realize the opportunity that is before us; that as American ministers we have a special call to liberalize religion. In unqualified devotion to the fullest liberty in religion we yield to none. The rabbi in America is, of all ministers, the least fettered by the trammels of ecclesiasticism, least bound by the claims of dogmatism, least hampered by the authority of the dead past, most thoroughly emancipated from the intellectual bondage to the schools and the traditions. He stands free, answerable to none but God and his own conscience. As American rabbis, we have a special task, to reform the Jew as well as we have reformed Judaism, to spiritualize his life, to fan into a new glory the ancient fires of his religious genius by the breath of the grander enthusiasm of humanity. Let us no longer be negative, merely protesting and defending, but let us at last advance to bravely affirm and consistently show forth our ideals as holding within themselves the living, active purposes of the world's best life.

In this great task the Conference of American Rabbis has a leading part. By this union and the strength it imparts we may wield a power for good that shall make itself felt. We shall lift up our calling in the eyes of men as we prove our respect for our vocation. We shall stand for justice, Rabbi to Rabbi, man to man; we shall live for kindness and let no aged, indigent or unfortunate brother go out to the tender mercies of the world, an object of charity; we shall walk in humility and win the homage which merit alone commands. Thus shall we seek to fit ourselves to ascend unto the Mount of God

and out of the Zion of truth to send forth the glad tidings of the world-redeeming message of peace: שלום שלום לרחוק ולקרוא אמר יי ורפאתיו "Peace, peace to him that is afar off and him that is near, saith the Lord, and I will heal him." Amen.

[APPENDIX C.]

JUDAISM AND THE PUBLIC SCHOOL SYSTEM OF AMERICA.

By Rabbi Ed. N. Calisch.

There are two characteristics of the adherents of Judaism, which the bitterest of opponents can not deny to them,—the love of learning and the love of law. From the earliest days when, gathered at the foot of Sinai, the people expressed their eager willingness to accept the law and its teachings, the house of Israel has been pledged to education and government. The pleadings of prophets and the sayings of sages have all run in this channel. Moses,* proffering his dearest wish to the Almighty, sought only to know more, to learn that which, to man, must ever be unattainable. Solomon,† disdaining all other things, chose wisdom as his handmaid. Rabbi Jochanan ben Sakkai‡ pleaded with the Roman Emperor only that he might found a school. All through the Bible, the Talmud, the Mishna and the books, which record the sentiments of Judaism, we find, in the one direction tributes unto learning,§ apostrophies to wisdom,‖ and endless admonitions to take care of the wise, to "let your house be a meeting-place for them,"‖ to "wipe yourself with the dust of their feet,"** "to secure for yourself a teacher,"†† "to let the fear of the teacher be like the fear of heaven,"‡‡ the statement that the "ignorant can not be pious,"§§ etc., in the other, "to seek the welfare of the country in which you live,"‖‖ "to hold the law of the land to be the law,"*** governing your-

*Exodus xxxiii. 13, 18.
†1 Kings iii. 6-9.
‡Hebrews' Second Commonwealth, Wise, p. 347.
§Job xxviii. 28 et seq. Proverbs iii. 13 et seq. Ibid., iv. 1, etc.
‖Sayings of the Fathers i. 4.
**Ibid.
††Ibid. 6.
‡‡Ibid. iv. 15.
§§Ibid. ii. 5.
‖‖Jeremiah xxix. 7, Sayings of the Fathers, iii. 2.
***Talmud Babli, Baba Kama, 113*a*.

self, to uphold those in authority and to be ever diligent in the execution of the law, etc. These early teachings have not been in vain.

As has been so often cited, the Jew has proven to be a citizen *par excellence* in every community and under conditions the most trying. Though often crushed under the iron heel of injustice and intolerance he has been loyal, loving and law-abiding, industrious and obedient at all times, ready to do and care for this country in war with man or elements, whenever emergency demanded or opportunity offered. He has again and again emphasized his love of country. his loyalty to government.

In the less restricted fields of intellectual achievement he has gained acknowledged triumph. The scepter of mentality has not departed from Judah. The eagerness with which the Jew has sought education can only be judged by what he has achieved in the face of all the obstacles that have been thrown in front of him, both from sources external to himself and by his own iron-clad exclusiveness, to which his centuries of misery had driven him. Spinoza defying the ban of the Rabbis, and Moses Mendelssohn eating the notched crust of poverty in Berlin and giving forth his German translation of the Bible in the teeth of his enraged brethren, are the types of the one class; while the Jewish students in the universities of Russia to-day, fighting, oh, so bitterly, for the morsel of mental food against all the barriers of ostracism, prejudice, persecution and painfully restricted numbers, are types of the other.

Remembering these facts so casually touched upon, in what light does the Jew—does Judaism look upon the public school system of America, wherein are crystallized in their highest development, those two things so dearly cherished—education and government? There can be but one answer. Judaism most unequivocally encourages, most emphatically indorses, most stoutly supports it.

Judaism earnestly upholds the public school system of America, because it believes that the strength and the glory of the country lie therein. The public schools are the corner-stone of the nation, on which and by means of which, she has reared the superstructure of her unparalleled achievements. They are the great beating heart of the land whence is pulsed forth year after year the throbbing life-current of character and knowledge, whose benign influence vivifies each minutest capillary of the tremendous body politic. It was a military foreigner, who when looking over the land, asked, "Where are your fortresses and ramparts?" The answer given was

an oak in an acorn: "There," replied his guide pointing to the little log school house, "there are our forts." And stronger ones, more formidable and more invulnerable never existed. Europe may tremble beneath the tread of her weaponed warriors. The great standing armies may eat the bread out of the mouth of the peasant of Austria, Russia, Germany and France. The strength of England may lie within the "wooden walls" of her navy. America has her public schools and needs no more.

Judaism believes in the citizen being educated, if he is to be a competent citizen. The republic is founded on the intelligence of its citizens, and its continuity depends absolutely on their being educated. Therefore the State takes this vital matter in hand as a measure of self-preservation. The sentiment as expressed by Chancellor Kent is the correct one: "The parent who sends his son into the world uneducated defrauds the state of a citizen and bequeathes to it a nuisance." It is this belief element which Judaism regards as absolutely necessary to the healthy existence of the schools, i. e., they shall be *public* schools.

This means two things, first, that they shall be essentially and completely under the control of the public and secular authorities, and second, that they shall be upheld and supported by the public, morally as well as materially.

The public schools are essentially the children of the State. It is their parent and support. In them lie cradled the future destinies of the republic, the fledglings that shall soon put on the broad pinions of citizenship. As such they must remain under influence and authority that are purely secular. They must be kept aloof from every sectarian tendency. Judaism as an institution is certainly not an irreligious one. Its adherents can not be classed among those opposed to religious instruction. None more earnestly than they desire the widest diffusion and the universal possession of religious knowledge. Yet Judaism believes that religious instruction of any kind or character has no place in the public schools. Religious teaching shall have its sway in the church, in the Sunday-school, in the home, but not in the public schools.

Happily our country is one where Church and State are divided. These two great factors of human progress have here found their legitimate stations, working harmoniously and jointly in the same great cause of uplifting the human family, yet each working in its own peculiar way, and each pursuing its own peculiar path. These paths run side by side like parallel lines; and like true par-

allel lines, they should never come together. The pride of our country is its independence. It is the empire of liberty, civil and religious, which, please God, shall never die. In the city where stands my synagogue, stands old historic St. John's Church. 'Twas in this very building the eloquent Patrick Henry sounded the key-note of our national anthem, when he said, "I know not what course others may take, but as for me, give me liberty or give me death!" and the old commonwealth of Virginia and all the States of the Union as they flung the folds of their banners to the breeze, repeated the cry, and said that "liberty was to be preserved," nor sheathed their swords till liberty was assured. The glorious Bartholdi statue, here in the harbor of our country's metropolis, holds forth the light of liberty to all who would thereby find the way. But the introduction of even the simplest kind of religious exercise in an institution of a public nature, that is designed for all the people and supported by all the people, jars at once upon the harmony of our national independence. It, of a necessity from which there is no escape, must favor some to the exclusion of others. It is well known that there is one class of people in this country, who, while proportionately paying as much toward the maintenance of the public schools, are yet compelled to withdraw their children from them, because of the interference with their religious convictions, which they find therein. They are forced to build and maintain parochial schools, in order that the religious convictions of their children may be untainted by any instruction from unauthorized books or unordained sources. Even among those who attend the public schools, there is division, estrangement and separation. And striking a still greater and more dangerous evil, the instruction given in the schools is often denied, contradicted and even ridiculed in the home, thus placing the mind of the child in uncertainty on the cross-roads of parental and pedagogic authority.

In the vast heterogeneous mass which makes up the American people to-day, with the many different elements of civilization and varying degrees of religious training, who can determine on a creed that shall satisfy the heart and conscience and all the people? And there is none whose right to satisfaction shall not be recognized.

It is this right of the individual to be recognized that made our nation what it is to-day. The attempt at the denial of this right sent the Mayflower of the Puritans to battle with unknown seas, till its keel grounded on the ledge of Plymouth rock. The asser-

tion of this right roused our revolutionary sires, took them from their plows, and made Boston Harbor and Lexington and Concord watchwords of the people. The consciousness of the possession of this right makes every American citizen to-day prouder than a king, nobler than throned monarch. Therefore not to disturb this right, not to cross the line that lies between the parallel paths of Church and State, Judaism declares that the public schools shall be purely and completely secular. Its sentiment is voiced by its own philosopher, Mendelssohn, who (in his book Jerusalem) has said, "The State has no right to appoint men to teach and enforce certain special religious principles." Says Judaism, let the public schools be public schools, dedicated by the State to innocence and education. Let the children of the Republic furrow the broad and limitless fields of secular knowledge, under secular guidance, all equal—all free—all alike, unhampered by aught that shall divide or separate.

The second point maintained as necessary to the healthy existence of the schools is that they shall be morally as well as materially supported and upheld by all the people. Judaism believes that the schools erected by the Government are the most fitting ones in which the children of the Government shall their receive their secular training. While not wishing to derogate in the slightest from such schools as may have been, for any cause whatsoever, erected outside of the public schools, yet it is in the public schools alone that the true democracy of our country is displayed. It is in them only where is best seen the broad basis on which our government rests, the basis of equality. Later in life men raise up distinctions between each other—wealth draws a terrible chasm between people. At college, at the bar of justice, in the church, in social relations, the favorite of fortune gains recognition, often unmerited; even at the ballot-box wealth has only too great a power. But in the schools the lines are not yet drawn. Here in truth there is no royal road to knowledge. The child of the hod-carrier and the child of the millionaire may sit on the same bench. The son of the cobbler may thrash the son of the rich man for whom his father cobbles; rags rub elbows with silks; tattered caps hang on the nail beside velvet ones, and torn shoes often lead patent leathers up the rugged hill of learning. Nowhere is the perfect equality, the true democracy of our government so plainly shown. In view of this supreme fact, and in view of the excellence of the public schools, as established, it is a serious error, as well as a most unnecessary step, that a child, except for cogent causes, should be withheld from the

public schools. Sending a child to a private institution of learning creates a distinction that is bound to have its effect on the children both there and in the public schools. They will wonder why these children are sent to private schools. Are they of finer or of coarser clay, that the public schools can not contain them? The child can not but note the difference, in its own instinctive way be impressed by it, and feel that after all, all of us are not alike, we are not all of us equal children of the State, and the flag of our country falls unevenly upon those beneath it.

Judaism does not and will not build parochial schools. It is true that the child of Jewish parents are subject to insult and often injustice at the hands of scholars and even of teachers; it is true that the Jewish child is compelled to listen to what is emphatically a Christian service at the opening of school; to hear its own parents and ancestors and itself doomed to eternal damnation, yet in spite of these drawbacks Jewish parents send their children to the public schools, because they love learning and they love law, and they believe that the public school system of America is the embodiment of them both, that approaches nearest to the perfection allotted to humanity. For the same reason the first care of the Jewish relief societies that receive the Russian immigrants, is to teach the children, and the grown ones the English language that they may enter the public schools and receive the touch and the influence of American culture and American citizenship.

In conclusion, a word of admonition may not be out of place. While we rejoice in the equality of all men in the eyes of the government, we are endangered by an aristocracy whose pretence to exclusiveness and caste is as strong as any of the nobilities of the old word monarchies. From the recent scandals that have issued forth, it is as corrupt. 'Tis a time "when wealth accumulates and men decay."

The first effect of this exclusiveness is seen in the tendency, that recognizing the equalizing and leveling influence of the public schools, sends the children of the "noble born" to private institutes, academies, seminaries, etc. I fain would flatter myself that none of Judaism's followers have been touched by this, but I fear I can not. I fear there are some whose fortune has outrun their discretion; and I appeal to you, my brothers, when you shall all have returned to your homes for the labors of a new year, that you will teach among the people the true Judaism that recognizes the public schools as the only proper school for the children of the Republic. Let

these, so far as their scope extends, embrace all the children of the republic. Let them suck knowledge from the broad bosom of the goddess of our common country. Let then all lie cradled upon the snowy hillocks of Liberty's virgin breasts, where

> "Gently instructed, they may hence depart,
> Greatly in peace of thought, and have their fill,
> Of knowledge as each vessel can contain."
>
> —*Milton.*

Let them above all things learn that which the public schools, and the public schools alone can teach, that to be an American citizen is to be greater than a king.

[Appendix D.]

MEMORIAL ADDRESS UPON THE LIFE OF THE REV. DR. LIEBMAN ADLER.

By Rev. I. S. Moses.

(From the Report of the Official Stenographer.)

If the honor to be paid to a dear departed friend must be measured by the standard of his work and the influence which he wielded in his life, the words which I am about to speak would be too feeble and inadequate to do justice to the great dead whose name still lingers like a sweet melody on the lips of those who knew him and loved him For Liebman Adler belonged to those few noble spirits whom God from time to time sends to this earth, that through them men shall learn to find the true way of life. His mission on earth was to reveal a part of the Divine Nature; the quality of love and peace holding and uniting mankind in the service of God.

We are accustomed to classify our great men according to a few patterns or types, and to measure their importance by that standard. The benefactor, the statesman, the scholar, the reformer, the martyr, the poet, the artist, the hero, these are the few names and attributes by which we are accustomed to know our great men. But Liebman Adler was a type of his own, fashioned after no pattern, but cast in the mold of his own individuality.

We may call him the ideal priest, the priest of the Most High. He was one of those natures who pass modestly and, perhaps, unheeded through life like a far-off star that traverses the heavens, and, having passed, its rays and warmth are seen and felt later by the inhabitants of the earth. He was of that type and that cast seldom beheld on earth, and when we see them we think that they belong to the average mass of mankind. When the life has darkened, then the eye beholds the true man and the true greatness.

He was a priest. And there is this difference to be noticed between the priest and the prophet. The prophet may inspire men to higher thoughts, may open to the mind a grander vision; he may infuse enthusiasm into the commonest affairs of life, and lead and move men to higher aims. But the prophet is also he who, when

meeting with resistance, will strike and destroy. When Moses, bringing down the tablets of the law from the mount, beheld the people in rebellion, he broke in pieces the forms of the law because then he thought them without value. Elijah, when meeting with resistance, exhibited his anger and his rage by destroying the lives of four hundred prophets of Baal. The priest does not destroy. The priest does not come to kill. The priest does not pull down the walls over the heads of others. The priest builds up altars and fans the flame of devotion to the higher and nobler purposes of humanity. The priest infuses reverence and enthusiasm into the common relations of life, and sanctifies all the functions of humanity.

To such a life, to such a priesthood, was Liebman Adler devoted from his youth. For from his earliest childhood, when only ten years old, when he was asked what he was going to be, he answered: a teacher. To be a teacher meant, in his time, to lead a life of devotion and of self-sacrifice in the interest of others.

The time of his mental development and of his preparation was in a period of Israel's awakening from the long sleep of centuries. It was the time when the great Corsican had destroyed the thrones of Europe. It was the time when freedom had kindled its torch and enlightenment was spreading over all the earth. It was the time when Israel, too, awakened and reclaimed its birthright of religious and political emancipation. It was at that time when men who had studied the Talmud drank in eagerly the wisdom of the philosophical schools. They who were the disciples of the Rabbis of old, also became docile pupils of Wolf, Kant and Hegel. It was at that time when that child was born, that son was given unto us, who brought us redemption from the thraldom of book authority. Many are the brilliant names, many are the glorious and shining stars on the Heaven of modern Judaism who fought the great battle of our emancipation. Many are those who wrestled for us and brought down from the heavens a new law and a new inspiration, and that movement was then born which is called the science of Judaism.

Compared with those heroes, with the masters of the early reform movement, our lamented brother, Liebman Adler, falls short in the estimation of those for whom reform, and reform only, is a measure of greatness, and they will perhaps deny to our venerable friend equal rank and place with the saints of the new heaven. But I claim for our brother as high a rank as is accorded to the master minds of Reformed Judaism. It is true he can not be compared for

erudition with a Geiger, his was not the wide sweep of knowledge of a Samuel Adler, nor had he that crystalline clearness, that acute philosophical thought, that characterized Samuel Hirsch. And his was not the gift, the divine gift of inspiration and enthusiasm of Isaac M. Wise, who breathed new life into the glimmering ashes, who brought up from the grave those who seem to be dead, who possess that power that can call into existence living armies and bring up from the long slumber men and women who will march in conquest of the highest aims of this earth. This was not Liebman Adler's gift nor quality. And still I claim for him an equal place among those who are assembled here, and among those who have preceded us, and are now, whither we shall follow. For they have given impetus and direction to the new movement. They have cleared away the rubbish. They have laid the foundations upon which the new structure is to be reared. But Adler was a priest, if not a prophet. He was a priest who, like Aaron of old, stood בין המתים ובין החיים between a generation with all its religious views and customs fixed, and a new generation struggling for life.

He stood between the border lines of a past dying, and the future rising before us. And his ministration was to keep alive, not to destroy. To fan into a flame the slumbering spark, not to crush and to trample under foot the sacred tradition. You have heard that sometimes after a battle has been fought, and the armies have retreated from the battle-field, they to whom is given the charge of caring for the wounded and the sick and to bury the dead, go forth in silence to thier task. They carry the corpses and deposit them in a common grave. A story is told, that once the bearers brought in one whom they deposited with other corpses on the brink of the grave. While the simple military ceremonies were conducted, he not being dead, awakened to the sad reality of being buried alive, cried out in feeble tones: "Do not bury me, I am not dead." But the corporal in charge who did not understand that cry, said: "Roll him down, he is dead, he only pretends to be alive." So there were many who, in the frantic fanaticism for change, had thrown into the grave wounded, sick and dying together with the dead. Bury your ceremonies! Bury your forms! Bury sacred reminiscences and your vital traditions! They are dead! And when the poor Sabbath cried out wounded in the harsh conflict of commercial competition cried out: "I am not yet dead, do not bury me alive," the answer comes: "Thou art dead; thou only pretendest to be alive." Liebman Adler said be-

fore he died: "Be not hasty wtth my burial; take time." And so also in his ministrations. He said: "Hasten slowly; not all is dead which is declared dead by those who with cruel hand and harsh voice, call out: 'Bury, bury the dead.'"

And so he worked. Coming to this country in his 42d year, after a ministration as a teacher in his native town where he proved that he was not averse to progress, when progress seemed to him a help to a purer life, he first settled in Detroit. His was eminently the traditional, or the Talmudical standpoint. But what is this Talmudical position? It is the conviction that Judaism is a continual growth, a continual development, that at no time was Judaism a concluded and sealed work, that at no time could one say thus far and no farther. For him Judaism meant the mental, the moral, the historical development of all life in Israel and the reverence for all that the house of Israel has produced. Therefore, he thought that, as Judaism did not begin with him, it will not end with him, and that it is not for one man to say what Judaism is, or what it is not, and it is not for one congregation to say: Within our walls is the true religion, and they who are without are either steeped in ignorance or tainted by hypocrisy. It is not meet for one congregation to separate itself from the rest, from the community of Israel, but together they must work and together they must march, and in all phases of our religious life, from the most orthodox to the most radical, they all represent the Jewish thought and the Jewish life. And because he stood upon this historical basis he could be truly tolerant to those who differed from him in their religious opinions, differed from him most radically; but in whom he recognized the true ring of Jewish conviction, in spite of all our modern phrases, and of whom he knew and believed that they strove to spin the thread of Jewish thought to its utmost possibility, and to weave it into the pattern of the new time.

He was not only tolerant, he was also truly modest. He was modest like Moses of old, of whom Scripture says, that he was the humblest of all men on the face of the earth. But a different reading must be accorded to this sentence in reference to Liebman Adler. He was humble not only to the rich of his congregation, but before all men, even those lowliest on the face of the earth; he was modest, because all true greatness is modest. And this modesty did not spring from weakness, but from spiritual strength and moral grandeur. This could be seen and could be heard in his sermons. All his sermons were very simple. His words were sometimes very

commonplace. But the hearer knew that behind the word stood the man, stood the true character that commanded respect. Our modern preachers know more elocution than our poor Adler knew, and they know how to hide the scanty thought behind brilliant metaphors, and charm the audience from week to week by a new set of gestures. Our venerable and venerated friend had none of the tricks of the modern preacher. Of course, I do not mean any one here present. He was so simple that the majority, the average listener, thought, and this is the famous, the well-known and highly reputed Liebman Adler. But the knowing ones, they who heard him and now they who read his sermons, saw a spirit divine revealed in his words. For me, as well as for you all; but for me especially, he was a dear teacher. During the last decade of his life he had received a pension, and in comfort led a retired life. But he was not shelved. In his silence he was most eloquent. While he sat in his pew and listened to a younger preacher, he was the teacher, he was the inspirer, he was the proclaimer of truth, because in his presence no lie could be spoken and no pretense and no make-believe could be uttered to a congregation. These last ten years were the years of his true ministry in Chicago, and he made use of them in publishing some of his sermons, not for vanity and not for gain, for Jewish publications, let it be repeated here, are not a very paying business. He was urged, he was pressed, into this publication, and from his own savings, and by the munificence of a few friends, he was enabled, shortly before his death, to issue a third volume. They fill a whole room in the house from floor to ceiling. They are there. A few copies have found their way into the house of Israel. This is the sad fate of Jewish publications. First, hard to publish, difficult to bring out, and then difficult to stow away.

He was free of those vanities and of those childish jealousies that seem to be the inevitable infantile illnesses of modern Rabbis. He was without envy. Whether a colleague received $5,000, or $10,000, or even $12,000, or another only $1,200, he was satisfied with what he had, and could call his own. And in his last will—that beautiful, wonderful document which may rank with the finest, with the holiest writings—he said to his children: "Hasten not after riches, but seek, each one of you, in his own vocation, the highest satisfaction, and you will be rich, and you will be happy."

He had not even the ambition of the obscurest Rabbi in this country, to publish a Jewish newspaper or to make a prayer-book. He was free of all these vagaries. For him the old prayer-book

was good enough. He could pray from every book. I believe he could pray without any book. For to him everything was a means of devotion. For him religion was not laid down in paragraph and in chapter. Though a Talmudical Jew, the forms and the customs were not to him burdens and fetters, but rather means and help to a better and higher life. And so he worked, and so was also his death the death of a righteous one. His suffering he took not as a punishment, but as a last probation.

For us he was a guide and a teacher, and in his life, as in his death, he kindled for us a flame in which our own shortcomings, our own failings, shall be consumed, and all that is impure shall fall down as ashes, and all that is best in us shall rise. So much he has done for us.

And now what shall we do for him ? His congregation unlike so many congregations who, when the minister is getting old, and the gray hairs silver his brow, say : " We must get rid of him, he is getting old and will become a burden to us ; " unlike such, they gave him a pension, sufficient to live, and I believe almost as large as the salary of a Professor of our Cincinnati College. It does not take much to beat that. But he had enough ; he could live comfortably, because he was satisfied with what he had. No doubt, when you come to Chicago next year and you admire the tall buildings, the magnificent structures, the palaces wherein will be stored the arts and the industries and the wonders of the age, you will also go out to the cemetery where rests Liebman Adler and behold the marble monument at his grave. But shall that be all ? If you had labored for seventy or eighty years and you should think that a stone on the grave shall be the reward for all that you have done, how sad a lot ! I believe the time has come that we must set a monument for our great men not in marble, and not in words, but in deeds. The Cincinnati Hebrew Union College was the child of his heart. He had not the means to endow it, for few are the rich Rabbis in this land, or any other land—perhaps on some other star Rabbis may be richer, but on this earth they are not endowed with worldly goods. But by his inspiration his brother gave the first ten thousand dollars to the Hebrew Union College and thereby set an example that made the College possible. I know in his sickness he often wished that he could bequeathe to the College something, not for the glory of his life, but for the good of others. And I believe it is not out of place, nor out of time, when I say we shall not separate and go to our homes without having made *provision for the*

establishment of a Chair for Jewish History and Literature in the Hebrew Union College, to be known as the Liebman Adler Endowment. This is the mine I wished to spring on you, of which I told you this forenoon. I am authorized by my colleague, Dr. Hirsch, who will assist me in this work in Chicago, to say that at least in the two congregations and also in the other congregation, in the Zion, $5,000 shall be raised, probably ten. But I will not promise more than we can indeed realize; $5,000 is the offering which Chicago lays upon the altar in memory of Liebman Adler. And now come forth, men of Israel, leaders and teachers, the Secretary will take down the name and the sum which each Rabbi, in his estimation of the generosity of his congregation, may contribute. Let him also measure his own strength, like the deer before it leaps. Let him also make his own contribution and summing up, mention the whole amount here, and I am sure that the rich cities and the great wealthy congregations of this land represented here to-night will not stand back, and will not allow Chicago to have the laurel wreath of honor and of victory. Come forth and mention your names and mention also the amounts which you will contribute. New York and New Orleans and Milwankee and Kansas City and Nashville and Charleston, and the South and North and every one. This is the method I have seen in the Unitarian Assembly when two years ago they raised $26,000 in one evening for a Parker Memorial. And shall we not do the same thing for our great ones? Shall they molder in the dust and be forgotten? Almost, might I say, like our sainted Dr. Lilienthal, shall they be forgotten as though they had never been? No, a chair shall be erected for every one of our noble ones in that college from whence go forth the soldiers to fight against darkness and hypocrisy, they who have been touched by the live coal of inspiration, they who have sat at the feet of this venerable teacher, Dr. Isaac M. Wise, so that by honoring the dead, we shall also honor the living one. We know not how long this one will stay among us. God protect him, God bless him, and keep him with us for many years to come. But we are only human, and we know not who first, whether the younger or the older, will be summoned to depart. Let us honor him by helping to make firm for all ages to come the child of his heart and the work of his life, so that thereby we shall be true to what I have said of Liebman Adler, to stand between the dead and the living, to link life and death, time and eternity, Amen.

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